

May 11, 2007



TRANSCRIPT
May 11, 2007

MONTGOMERY COUNTY COUNCIL

Councilmember Marilyn Praisner, President
Councilmember Phil Andrews
Councilmember Valerie Ervin
Councilmember George Leventhal

Councilmember Michael Knapp, Vice-President
Councilmember Marc Elrich
Councilmember Nancy Floreen
Councilmember Duchy Trachtenberg



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1 Council President Praisner,

2 Good morning, ladies and gentlemen. If we can come to order, please. I want to begin
3 the meeting. I know that other Councilmembers will be joining us shortly, but we have,
4 as folks can see a lot of items this morning. I know that many of them will probably not
5 require significant conversation, but I do want to try and keep us on schedule. Some
6 Councilmembers have obligations this afternoon associated with the public safety
7 memorial services and I know many of us want to be there or are going to try be there.
8 So let's see how much we can accomplish and try to work through this. The first
9 significant chunk of these items on this morning's agenda are related to the
10 Management and Fiscal Policy Committee. I just want to say for this afternoon that
11 there are some modifications to the agenda. Item 28 will go first above 24. And item 30
12 and, no, item 31 has been deferred, Park and Planning budget. Not 30, 31. Right. Okay.
13 So, just we'll be doing Park and Planning's budget deferred items next week. Okay.
14 Let's begin. Madam Chair.

15
16 Councilmember Trachtenberg,

17 Well good morning all for being here this morning.

18
19 Councilmember Trachtenberg,

20 And I am going to start by asking folks that have come to participate to introduce
21 themselves. And the other thing I would note as we begin is that we do have in excess
22 of twenty items and after spending a good deal of time looking at it last night, it seemed
23 to me if we try to stay to a five-minute conversation around each item we might be able
24 to get through everything.

25
26 Councilmember Leventhal,

27 I appreciate the Chair's optimism and guidance.

28
29 Councilmember Trachtenberg,

30 I've been accused of being a Jewish mother and I don't mind and I resisted the
31 temptation of bringing a stop watch. I thought that might be tacky.

32
33 Council President Praisner,

34 My pitchfork is gone.

35
36 Councilmember Trachtenberg,

37 I thought that might be a little too tacky, but with that let's ask our participants to
38 introduce themselves for item number 1.

39
40 Sonetta Neville,

41 Good morning, I am Sonetta Neville, the Administrative Manager for the Offices of the
42 County Executive.

43
44 Tim Firestine,



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1 Tim Firestine, Chief Administrative Officer.

2
3 Mary Beck,
4 Mary Beck. OMB Charles Goldsmith OMB.

5
6 Councilmember Trachtenberg,
7 On the first item for the Office of the County Executive, the MFP Committee
8 unanimously recommended what was defined in the budget provided. And I don't really
9 have any general comments myself to make about it, except that it's very straight
10 forward and seems quite reasonable.

11
12 Council President Praisner,
13 There are no comments or questions from Councilmembers. I don't know if the CAO or
14 Sonetta wants to make any comments first?

15
16 Tim Firestine,
17 All I would say is just thank you for your support and acknowledge that we are still a bit
18 in transition, you know, the budget before you.

19
20 Council President Praisner,
21 Here comes my pitchfork. (laughter) That might be a sign of things to come.

22
23 Tim Firestine,
24 Speaking of transitions.

25
26 Council President Praisner,
27 That's a gift from the farmers.

28
29 Tim Firestine,
30 Oh.

31
32 Council President Praisner,
33 As we've got, and we will go from the budget obviously into the annual growth policy
34 and Ag Reserve issues and who knows what else so it may come in handy. Who
35 knows. What did you say?

36
37 Unidentified
38 I won't repeat it.

39
40 Council President Praisner,
41 Okay. (laughter) Okay.

42
43 Tim Firestine,
44 On that note I have no further comment.



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Council President Praisner,

Okay. I know some Councilmembers are very interested in working with you all as you develop the community partnership office a little more and look forward working with Mr. Adams who is not a stranger to the Council in this process. Thank you very much.

Tim Firestine,

Okay.

Council President Praisner,

Oh, I am sorry, Valerie.

Councilmember Ervin,

Just a quick comment on the regional service centers. I see in the memo that there is a draft MOU circulating.

Council President Praisner,

Yes.

Councilmember Ervin,

And where is it? And how long has it been out?

Council President Praisner,

It has been to your office. Every Councilmember has it.

Councilmember Ervin,

I don't remember seeing it. Sonya if you are listening, bring it down. Thank you.

Council President Praisner,

That, the memorandum of agreement, memorandum of understanding I guess is the word, between the Executive and the Council is related to the legislation associated with making regional service center directors non-merit positions. And Councilmembers' offices should have had it for at least a week. So if not, I know among the budget it a little difficult but we are going to deal with the legislation next week. So I am hoping that Councilmembers will react to it. If not you can get another copy in my office. Thank you. Okay, next item is the Public Information Officer that I saw this stranger sitting in the audience that we never have seen before in disguise.

Councilmember Trachtenberg,

So and again if we could start with some introductions since we are being recorded.

Donna Bigler,

Hi, I am Donna Bigler. I'm the Assistant Director of Public Information.



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1 Patrick Lacefield,
2 Patrick Lacefield, Director of Public Information.

3
4 Councilmember Trachtenberg,
5 Strangers to this side of the street.

6
7 Mary Beck,
8 Mary Beck, OMB.

9
10 Chris Mullen,
11 Chris Mullen, OMB.

12
13 Councilmember Trachtenberg,
14 In terms of item number 2, there were some minor changes by the Committee. The
15 motor pool expenses were reduced by \$15,200. And also there was some adjustment
16 for the community service aide position. \$18,850 in personnel costs were placed on the
17 reconciliation list at the recommendation of two Committee members. And in a nutshell,
18 the budget that is being recommended is \$1,360,020. And with that I would ask Patrick
19 if he has anything he would like to discuss as he maybe fields some inquiries from
20 colleagues here.

21
22 Patrick Lacefield,
23 Okay. Well, first of all, as always, I appreciate the consideration. I may have even been
24 a little sleepless last night thinking about my first appearance to defend the budget
25 before the Council. I did want to sort of make a pitch on the additional staffing which is
26 the following: up until about five years ago we had two support staff to support
27 approximately 11 work years. Presently, we have one support staff which means that
28 when that support staff person is sick on holiday, whatever, we have to fill in the gap
29 either with, you know, temps or bringing other people in to do that kind of work which is
30 a fair volume. Additionally, we were looking in terms of that position to try and bolster
31 our language abilities on the staff in terms of, in terms of a Spanish-speaking person. I
32 realize there are many items on the reconciliation list and, you know, if truth were told,
33 many of them are more critical than what I'm talking to you about. But I just wanted to
34 voice that. I think having an additional staff person, doing better than one support staff
35 person for 11 program people would be helpful and I think would make the office more
36 productive.

37
38 Council President Praisner,
39 Okay. We have some lights. Councilmember Knapp.

40
41 Councilmember Knapp,
42 Thank you Madam President. Welcome back, Patrick.

43
44 Patrick Lacefield,



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1 Sure.

2
3 Councilmember Knapp,
4 The question I have is, and this came up last year when you were still on this side of the
5 street, as it relates to the Public Information Office really being the Public Information
6 Office for all of County government.

7
8 Patrick Lacefield,
9 Right.

10
11 Councilmember Knapp,
12 We had a discussion with the Board of Elections during the course of their budget and
13 one of the issues that they are going to be struggling with over the course of the next
14 year is trying to figure out ways to do outreach and identify different pools for election
15 judges.

16
17 Patrick Lacefield,
18 Right.

19
20 Councilmember Knapp,
21 And so previously that was not a group that was generally embraced in the Public
22 Information Office as readily as perhaps one might have liked. But I just want to
23 encourage us to, both in the Board of Elections and in others to really kind of make sure
24 everyone knows that you guys are there, not just for the County Executive but for all
25 elements of County government, capitals see County government to try and do that
26 communication as a outreach.

27
28 Patrick Lacefield,
29 Right.

30
31 Councilmember Knapp,
32 Just so people know because I think there's a lot of them that are kind of a little bit adrift
33 and say, just, we don't have the resources, we don't know how to get there.

34
35 Patrick Lacefield,
36 Right.

37
38 Councilmember Knapp,
39 And to the extent that as you do that outreach as you see what additional needs may be
40 required to come back to us and talk about it.

41
42 Patrick Lacefield,



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1 Okay. I am making the rounds with departments on that and I have had a meeting with
2 the Board of Elections and made it clear that, you know, we're from the government and
3 we are here to help.

4
5 Council President Praisner,
6 Well, one of the concerns that has come up in the past is well, is individual departments
7 that appear to have Public Information Officers for themselves versus coordination with
8 your office.

9
10 Patrick Lacefield,
11 Right.

12
13 Council President Praisner,
14 So I hope that that -- you have experience with the interagency information officers that
15 we strengthen all of that. Councilmember Ervin.

16
17 Councilmember Ervin,
18 Thank you. Hi, Patrick.

19
20 Patrick Lacefield,
21 Hey.

22
23 Councilmember Ervin,
24 In terms of communication and outreach we keep hearing a lot about this and I'm really
25 grateful for the County Executive's approach to outreach in the community. But my
26 question is simply the outreach to Councilmembers.

27
28 Patrick Lacefield,
29 Okay.

30
31 Councilmember Ervin,
32 And how your office will be doing that differently from the way. That the previous
33 administration did because as a District Councilmember there are a lot of events that
34 occur with the press and I have to just say that it's really troubling that I have to hear
35 about these events or read about them happening right in my District and I would like to
36 know how your department.

37
38 Patrick Lacefield,
39 Right.

40
41 Councilmember Ervin,
42 Is going to do outreach to Councilmembers. Because a lot of these issues are very
43 important to us?



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1 Patrick Lacefield,

2 Well, in terms of, I mean first of all, I made it a point to put all the Councilmembers on
3 our advisory and press release list. But that's sort of on the tail-end of the process.

4
5 Unidentified

6 After the fact.

7
8 Patrick Lacefield

9 What, I had a meeting with the Council President. And what she asked me to do was to
10 basically, you know, utilize my successor Neil Greenberger to send information to him
11 that would go to the Council President and then, you know, in terms of information
12 about upcoming events or possible events. I think that's, that's where we have to work
13 on it a little bit. It's when an event is sort of you are thinking about doing something, but
14 you are not sure yet and you need to make clear, you know, that the people who should
15 be at things should be at things. And I know that in one case for the gang news
16 conference that ended up being canceled because of Officer Hoffman's death, that that
17 one fell in between, to use a baseball metaphor, the right fielder and center fielder. And
18 you were not informed as you should have been. And I apologize for that.

19
20 Council President Praisner,
21 Valerie.

22
23 Patrick Lacefield,

24 We are going to work harder on that.

25
26 Council President Praisner,

27 My request was that the Council be informed when things are going to be scheduled
28 and that using the Public Information Officer, because we know that that person is there
29 all the time. Whereas, Councilmembers may not be. That there be coordination with the
30 District Councilmembers when there are district events as well as with the Council as a
31 whole, to make sure that when press releases are developed, there is opportunities for
32 quotes, as well as opportunities for participation. And that recognizing that Tuesday is
33 always a good news day. It's not a good Council activity day that we try to work with the
34 Council's schedule on events as well. So I am hoping the meeting was called because
35 of concerns and given Patrick's experience I am hoping that we can continue to improve
36 on that issue. And that it can continue for all four years and beyond. If there are no
37 questions, then I assume this budget is accepted as presented. Thank you very much
38 both of you.

39
40 Patrick Lacefield,

41 Thank you.

42
43 Councilmember Trachtenberg,



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1 We are going to move on now to item number 3, which is a Non-Departmental Account
2 for the Charter Review Commission again proposed at \$1,500. And again a very
3 reasonable request and money wisely spent given the significance of the work that the
4 Commission does. Do we have any lights here?

5
6 Council President Praisner,
7 No, we don't, I'm sorry.

8
9 Councilmember Trachtenberg,
10 Okay.

11
12 Council President Praisner,
13 Go ahead, keep going.

14
15 Councilmember Trachtenberg,
16 Well I'm going to proceed and just.

17
18 Council President Praisner,
19 Yeah, I just want to comment on the next one that Barbara McNally indicated I think to
20 Justina that she cannot be here today.

21
22 Councilmember Trachtenberg,
23 Right.

24
25 Council President Praisner,
26 And that unfortunately no Commissioners could be here either but I think we can deal
27 with the other.

28
29 Justina Ferber,
30 Yes and I told her we would go ahead without her.

31
32 Councilmember Trachtenberg,
33 Okay, well, that sounds good to me. So with that we'll move on to item number 4 which
34 is the discussion on the budget for the Ethics Commission. And as the Council
35 President notes, Ms. McNally from the Ethics Commission is not here to join us today
36 but believe that Trudy is here from Management and Budget. Again, the amount
37 submitted to us was \$236,410 and there were no changes. Clearly that's what was
38 provided to us in the Executive's budget. Any conversation about this? Okay, well with
39 that we are in agreement that that is a good request. A sound investment. And we are
40 going to move on to item number 5. Gosh, this is going a lot quicker --.

41
42 Council President Praisner,



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1 Procurement. And folks from the Procurement Office are here. Our new director David
2 Dise. If you want to join us and, that's you, and folks want to introduce themselves
3 again. David.

4
5 David Dise,
6 Hi, I am David Dise, Director of the Office of Procurement.

7
8 Mary Beck,
9 Mary Beck, OMB.

10
11 Chris Mullen,
12 Chris Mullen, OMB.

13
14 Councilmember Trachtenberg,
15 Okay. What we proposed to the Committee was a budget of \$3,077,500. Again if my
16 memory serves me correct, there were no changes from what was submitted to us by
17 the Executive. I want to see if David would like to make any remarks about the office
18 and about tasks before you and your staff. But again you know there really were no
19 changes again recognizing the significant role that this office needs to play. And
20 certainly a lot of the hard work that needs to happen as well under your leadership.

21
22 David Dise,
23 Well, thank you. Thank you very much. As budgets go, this is humble compared to what
24 the Council will look at across the board. But we are engaged in a great many issues,
25 many of which are highlighted in the overview before the Council, including MFP
26 activities, the coordination with the Department of Economic Development, local small
27 business reserve program and have already been engaged in my brief two months with
28 Montgomery County already in a number of meetings with Chambers of Commerce and
29 business groups and commissions to make sure that we are broadening the outreach of
30 the Office of Procurement. The term I've been using is pulling back the veil so that folks
31 have more ready access to information and we are trying, at this point, mobilizing staff
32 to get a better sense of specific areas of interest, concern, and pain if you will, within the
33 business community across Montgomery County to see where we can look at areas of
34 reform and improvement to the procurement process. That's really our highlight. That,
35 with some technology initiatives that you will see on our website over the next few
36 months including an online contract search engine so that businesses can do this
37 readily as well as implementing e-procurements and e-commerce initiatives through our
38 online contracting. Those are our primary initiatives over the coming year.

39
40 Council President Praisner,
41 Council Vice-President Knapp.

42
43 Councilmember Knapp,
44 Thank you Madam President. David, welcome.



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1
2 David Dise,
3 Thank you.

4
5 Councilmember Knapp,
6 Welcome and I'll be honest, this is one of the things I probably should have looked at
7 more in the previous years but haven't. And I just, as you kind of get in and get your feet
8 wet I would love to sit back down with you in the coming months and just get a better
9 understanding of how you coordinate your office and then how that interaction occurs
10 within the procurement activities that take place within the other departments and just
11 how. And we had this discussion as it relates to DTS and others as to how much is
12 centralized versus how much is kind of decentralized. And I would just be curious to get
13 your insights as to how we are structured, how you've seen others structured and just
14 kind of how that interaction takes place on a day-to-day basis.

15
16 David Dise,
17 Well I can speak briefly to that now. It might be worthwhile if other Councilmembers
18 have a similar interest to do a primer for the Council.

19
20 Councilmember Knapp,
21 That might be good.

22
23 Council President Praisner,
24 Well, you may want to just make brief comments whether it's a primer for the Council or
25 a private conversation, the public won't have the benefit of it.

26
27 David Dise,
28 Absolutely.

29
30 Council President Praisner,
31 And this televised budget Committee, Council meeting allows the public to get an
32 understanding.

33
34 David Dise,
35 Absolutely.

36
37 Council President Praisner,
38 So as you peel back, peel back it even more.

39
40 David Dise,
41 Well, I'd be happy to. The Office of Procurement works as a coordinating entity on
42 behalf of County departments and officers in order to ensure that what we are doing we
43 are doing on a consistent basis. We perform the services of procurement review,
44 working with the Office of the County Attorney for contract review and make sure the



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1 County policies and goals and initiatives are addressed, not only from a standard pure
2 contractual standpoint but also from other County initiatives including MFD, wage
3 requirement and things of that sort. We also act as the enabling entity on behalf of
4 departments that have requirements to fulfill by the coordination of public solicitations.
5 The issuing of the solicitations, ensuring that solicitations are issued on a broad and
6 unbiased basis. The receipt of bids and proposals and then working with departments
7 who, in the case of competitive negotiations and proposals, are doing proposal review.
8 Those departments will work with that and will ensure that proposal review is done in a
9 consistent and fair basis. And then in my capacity I have the final review of those
10 recommendations of award, contract submissions, meeting of MFD, that's for the
11 public's benefit, that's Minority Female Disabled, goals and also the coordination of all
12 other entities or associates, pertinent to those contracts. We also do the coordination
13 for capital construction contracts, working with customer departments, primarily Public
14 Works and Transportation to ensure that all of the issues and best strategies, best
15 practices in procurement and contract formation are undertaken.

16
17 Councilmember Trachtenberg,

18 I just want to make one comment, you know, beyond addressing the process and
19 protocol issues that some Councilmembers that I know have raised individually with
20 you. And I know you are already getting a good sense of some of what needs to be
21 addressed in the months ahead in terms of coordination. I think another important thing
22 to note at this time is that future investments will need to be made in technology.

23
24 David Dise,
25 Absolutely.

26
27 Councilmember Trachtenberg,

28 For your office and that there are specific issues around automation of reports and the
29 management of those reports so I want to --.

30
31 David Dise,
32 I could not agree more.

33
34 Councilmember Trachtenberg,

35 Yeah, so I want to put that out there as something I know that you are going to be
36 working.

37
38 David Dise,
39 Absolutely.

40
41 Councilmember Trachtenberg,

42 With the MFP Committee on and certainly with this Council on. So, David I thank you for
43 your comments.



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1 Council President Praisner,
2 Yeah, Councilmember's Andrews' light is on.

3
4 Councilmember Andrews,
5 Thank you. Thank you, David. I remember during your interview you described yourself
6 as a man who is passionate about procurement. (laughter) That's the first time that I
7 heard that.

8
9 David Dise,
10 (laughter) And it still baffles you?

11
12 Councilmember Andrews,
13 No, I am glad we found a person who is passionate about procurement. There was only
14 one of them out there and we found him. That's good. You look hard enough you will
15 find somebody. And we want all of our employees to be passionate about what they do.
16 The question I have is about the wage requirements program which I am assuming you
17 are talking about both the living wage which applies to a number of services and
18 certification with the state minimum wage which is higher than the federal now.

19
20 David Dise,
21 That's correct.

22
23 Councilmember Andrews,
24 Okay, so it's both. Now, what are we doing in order not just to certify, not to look for just
25 certification with those but actual compliance with the requirements of the living wage
26 law and the, and now the state minimum wage law?

27
28 David Dise,
29 We understand that the Council's goal to be more aggressive in reviewing those
30 contracts. As a matter of routine course we do, those contracts that are subject to wage
31 requirement regulations, we do review at contract inception. In my tenure here thus far
32 we have not yet created a mechanism whereby we might be more aggressive in that
33 review and obviously our efforts need to be coordinated with the Department of Finance
34 in making sure that whatever audits are undertaken or compliance reviews are done on
35 a coordinated basis. But we, this wage requirement regulation of Montgomery County,
36 as you know, has been in place for about three and a half years now. We have
37 approximately between 250, 300 contracts that are subject to wage requirements. As
38 those come up for renewal or awards, we do the review at that time. And then we need
39 to create a mechanism whereby we are doing a more regular review after that but as
40 you can appreciate full blown audits can be very expensive.

41
42 Councilmember Andrews,
43 Sure.



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1 David Dise,

2 So we may need to come up with a strategy to do a more high-level compliance review
3 that can be done quicker and at less cost. We have not yet undertaken that.

4
5 Councilmember Andrews,

6 I think the challenge is get to the point where there are enough audits done that you are
7 confident of the level of compliance.

8
9 David Dise,

10 Absolutely.

11
12 Councilmember Andrews,

13 And that those who might be tempted not to comply decide it's not worth it.

14
15 David Dise,

16 Again, as I said earlier, I couldn't agree more. I think that it's just a matter of coming up
17 with a workable solution. And it's a matter of not only cost, but capacity as well. When
18 you have got people who are occupied doing those other things, that can be a fairly
19 difficult undertaking and we need to develop a strategy whereby we require some
20 reporting, routine reporting from contractors that are subject to that and then carry
21 through with it. I think you are right that as the message gets out that we are looking at
22 these things, it will be a clear signal to the community.

23
24 Councilmember Andrews,

25 Okay. And I think the County living wage law is currently 11.60 if I am right. It's about
26 that.

27
28 David Dise,

29 It's going up to 11.95.

30
31 Councilmember Andrews,

32 11.95, July 1st, right. Okay, and that went out with the bids?

33
34 David Dise,

35 Yes absolutely.

36
37 Councilmember Andrews,

38 This spring. Okay, thank you.

39
40 David Dise,

41 You're welcome.

42
43 Council President Praisner,



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1 The other issues that the Council is passionate about is helping small businesses and
2 obviously you don't have the lead responsibility that we placed in the Office of,
3 Department of Economic Development on that issue. But I would appreciate personally,
4 and as Chair of the PHED Committee and as a member of Management and Fiscal
5 Policy at some point to have your perspective about the relationship between the
6 Procurement Office and the Department of Economic Development in that small
7 business issues because there are challenges for the departments you interact with
8 daily and the data issues associated with that too. So I think at some point we would like
9 to have a further conversation.

10
11 David Dise,
12 Absolutely. If I can interject at this time that that is a clear message across the County.
13 The County departments are aware of it and more immediately I can say that in the brief
14 time that's passed already that the Office of Procurement and the Department of
15 Economic Development are working very closely in coordinating our efforts on this
16 initiative. We've had numerous meetings with them and are co-hosting a number of
17 outreach programs to that effect. So I look for that being only better as time goes on.

18
19
20 And the data issues or the system development issues were part of the reason why the
21 Council agreed that it had to have a delayed start time. But now, we're into it and the
22 reports are good but I think at some point that the PHED Committee and possibly with
23 MFP as well, because they are joined in a variety of ways would like to get a status
24 report of what challenges we need to respond to.

25
26 David Dise,
27 Excellent.

28
29 Council President Praisner,
30 And what recommendations you might have.

31
32 David Dise,
33 We'll put that together. I'll talk with Economic Development and we'll set something up.

34
35 Council President Praisner,
36 Great. And Linda Lauer will make it all happen.

37
38 David Dise,
39 There you go.

40
41 Council President Praisner,
42 In her scheduling. Thank you, there are no other questions so we can move on to item
43 number 6. And that should be a very lengthy conversation.



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1 Councilmember Trachtenberg,
2 I don't know about that. Okay. Item number 6 is the NDAs as submitted by the
3 Executive for County Associations, Public Technology Incorporated, Council of
4 Governments and Board Committees and Commissions. And the Committee approved
5 what had been submitted by the Executive. And I would ask.

6
7 Council President Praisner,
8 Those are in essence are dues.

9
10 Councilmember Trachtenberg,
11 Right.

12
13 Council President Praisner,
14 Except for the County Committees where we put some money in to reimburse for the
15 eligible costs of family care and travel. So we'll move on now to the Office of Human
16 Resources thank you.

17
18 Councilmember Trachtenberg,
19 And I would ask Joe Adler and some other staff, personnel to join us. And again for the
20 purpose of recording please introduce yourselves. I think many of us, all of us, are
21 familiar with you Joe.

22
23 Joe Adler,
24 Good morning. For the record I am Joe Adler Director of the Office of Human
25 Resources.

26
27 Angela Dizelos,
28 Angela Dizelos Administrative Services Coordinator, Office of Human Resources.

29
30 Alex Espinosa,
31 Good morning, Alex Espinosa, OMB.

32
33 Barry Goldsmith,
34 Barry Goldsmith, OMB.

35
36 Councilmember Trachtenberg,
37 Before we actually start the conversation I was going to ask Mr. Adler, ask Joe if he
38 wanted to make any remarks. For the most part, there wasn't really any considerable
39 tweaking in what was provided to us and we had some joint agreement about shifting
40 one item.

41
42 Joe Adler,
43 I just, we strongly support the MFP Committee's recommendation and --.



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1 Councilmember Trachtenberg,
2 Well, thank you, Joe, I like that.

3
4 Joe Adler,
5 And given the time I think, you know, it's all said in here. There are, we are, and we also
6 do look forward to the OLO analysis of the occupational medical service that we provide
7 whether it could be tweaked and done better but that explains a large part of the
8 increase, was the increase in the contract cost. And we have a couple of new initiatives
9 that we discussed. And also we have, we are facing four collective bargaining situations
10 next fiscal year. So all of it is explained in the packet. And again we appreciate the
11 analysis and the thoroughness of the MFP Committee's analysis and report.

12
13 Councilmember Trachtenberg,
14 Well actually, that's a, I want to dove tail on that because in the Committee conversation
15 I want to let my colleagues know and I know it's isolated in packet as well, there was a
16 discussion around the bargaining process and, you know, recognizing that things are on
17 the calendar and about to happen shortly. And, you know, there was certainly a concern
18 raised about not so much the process as just making sure that issues were addressed
19 comprehensively and I really feel it necessary to underscore that. As we know, there are
20 going to be some future conversations.

21
22 Joe Adler,
23 We look forward to having them.

24
25 Councilmember Trachtenberg,
26 Okay.

27
28 Council President Praisner,
29 Alright, I don't see any lights.

30
31 Councilmember Trachtenberg,
32 Sounds good.

33
34 Council President Praisner,
35 So, thank you, all very much.

36
37 Joe Adler,
38 Thank you, very much.

39
40 Council President Praisner,
41 We'll move to the County Attorney's Office and I know that the County Attorney is still,
42 the new County Attorney is in the process of clearing up his portfolio and other duties
43 before coming here to the Council. So we do have the benefit of Mark Hansen joining us
44 today.



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1
2 Council President Praisner,
3 Okay.

4
5 Councilmember Trachtenberg,
6 Okay, if we could all introduce yourselves as we start the conversation here.

7
8 Mark Hansen,
9 Good morning. Mark Hansen, Deputy County Attorney.

10
11 Dennis Via,
12 Hi. Dennis Via, Budget Manager, County Attorney's Office.

13
14 Ida Hsu,
15 Ida Hsu, Senior IT Specialist.

16
17 Alex Espinosa,
18 Alex Espinosa with OMB.

19
20 Tom Webster,
21 Tom Webster OMB.

22
23 Councilmember Trachtenberg,
24 Okay. The Committee did not recommend any reductions and improved the increase of
25 \$244,000 to the budget. And I, first of all, want to thank Mr. Hansen for being here today
26 and also to acknowledge your service to our County. And I want to ask you if you want
27 to make any remarks about the operation of the office, some of the changes and also
28 some of the investments that are reflective in this budget in terms of the operation of the
29 office, if you would like?

30
31 Mark Hansen,
32 Thank you. Ms. Praisner already mentioned the first thing I was going to mention, Mr.
33 Rodriguez regrets he is not able to be here today. Secondly, to steal from Mr. Adler, we
34 wholeheartedly support MFPs recommendation. Thirdly, I want to say that I know the
35 office is looking forward to discussing with MFP in greater detail the issue of charge
36 backs. I was thinking as I was sitting out there that, you know, it's sort of like the theory
37 that, you know, water somehow always finds a way to get into my basement. Well, the
38 issue is, there is a pent up demand quite frankly for legal services and some of the way
39 that departments are dealing with that is fairly inventive. And with, I think, a chargeback
40 discussion would be very helpful for us to talk about it as significant policy impacts on
41 how the County decides to deal with that issue.

42
43 Councilmember Trachtenberg,



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1 I think that's true and I know that was reflected in the conversation that we had within
2 the Committee. So I would imagine, I would anticipate that that will be something that
3 we'll look to start a conversation on in the autumn after the summer months.

4
5 Council President Praisner,
6 Yes Councilmember Leventhal's light is on.

7
8 Councilmember Leventhal,
9 Well first of all Marc, I really think you have done a great job for the County in the
10 interim between Mr. Thompson and Mr. Rodriguez and I just really want to thank you for
11 your, the expertise and experience and professionalism with which you do your job. We
12 really appreciate it.

13
14 Mark Hansen,
15 Thank you.

16
17 Councilmember Leventhal,
18 And when, and I want to convey this through you to Mr. Rodriguez, I know you are
19 aware of it, I don't think we can let more time elapse without a really well thought out
20 options paper on this issue of representations of the Board of Appeals in court
21 proceedings. So, let me just state my strong hope that the County Attorney's office can
22 provide us with help on this. When we, I want to be very careful, some things are in
23 closed session and some things are in open session. We, there was the Duffy case in
24 Chevy Chase where the neighbors, some significant number of the neighbors, I think a
25 majority of the neighbors, believed that the Board of Appeals had ruled the way they
26 wanted and so we got a lot of communication saying that the County should always
27 back the Board of Appeals up. And you correctly and appropriately I think, and our own
28 staff, posed the hypothetical that the day may come where two other things might occur.
29 Number one, the Board of Appeals might take a position contrary to a County
30 department and the County Attorney would be found to have supported the County
31 department only then to have to turn around and support the Board of Appeals. And
32 number two, the day might come where the Board of Appeals took a position that was
33 contrary to the perceived desires of the majority of the neighbors. Both of those things
34 occurred in rapid secession.

35
36 Council President Praisner,
37 Yes.

38
39 Councilmember Leventhal,
40 We had the Hillandale -- matter and now we have the radio tower and so everything that
41 we predicted might have occurred has come to pass. And Mr. Berliner who I know is
42 taking.

43
44 Council President Praisner,



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1 He's out sick.

2
3 Councilmember Leventhal,
4 Care of other business right now. Oh, he's ill? Yes I am sorry to hear it. Made a very
5 interesting suggestion and I don't want to reveal anything in closed session but I don't
6 think this is a closed session matter that there may be a mechanism by which the Board
7 of Appeals could have its own representation not necessarily through the County
8 Attorney. I just want to lay it out because it's on my mind and let me--.

9
10 Council President Praisner,
11 No, that's fine.

12
13 Councilmember Leventhal,
14 Finish briefly.

15
16 Council President Praisner,
17 No, that's fine, it's just that the Chair of the Board of Appeals just entered the room so.

18
19 Councilmember Leventhal,
20 Oh. Yeah.

21
22 Council President Praisner,
23 And we do have the Board of Appeals later--.

24
25 Councilmember Leventhal,
26 Okay.

27
28 Council President Praisner,
29 This morning from a budget perspective.

30
31 Councilmember Leventhal,
32 Good, well, I'm glad she's here. Hi Allison.

33
34 Allison Fultz,
35 Good morning.

36
37 Councilmember Leventhal,
38 Terrific and you have a chance to hear what I'm about to say. So, all I'm--.

39
40 Council President Praisner,
41 Actually, Allison, I would like you to join us at table if you don't mind.

42
43 Councilmember Leventhal,



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1 Please. I'll be very brief. I just don't think we can let more time elapse. This is a front of
2 mind issue right now. And we need some real thorough and thoughtful options with your
3 office working with our staff promptly. I think it's one of these things that we can't allow
4 to have slip because we're going to have more and more and more of these things. It's
5 amazing to me that these three things that we hypothesized might occur, all happened
6 just like that. And I don't make any judgment as to what we ought to do but on the
7 specific issue of the Board off appeals having its own representation, our staff has
8 indicated that there are, there may be some state legal impediments or state steps that
9 need to be taken. And so I am just about done here. I just, I really think we have got to
10 resolve this I would think before we go on summer recess. I really, this is a significant
11 policy and management challenge that we have got to deal with right away.

12
13 Council President Praisner,

14 Allison, if you want to make any comments recognizing that as Mr. Leventhal said,
15 things are, there are cases that are on appeal at all times, there are conversations that
16 are appropriately made generically, there are conversations that are related to specific
17 cases and I think we have to be very careful here as we talk about cases and decisions
18 that might be associated with cases other than those that are over and done with. So if
19 there are things that are being discussed we have to be extremely careful. So I think the
20 generic question or comment that the Councilmember has made, Councilmember
21 Leventhal has made.

22
23 Councilmember Leventhal,

24 Which I hope Madam President you thought I made carefully. I tried to be careful.

25
26 Council President Praisner,

27 Yeah, I know, but I want to be, I want to make --.

28
29 Councilmember Leventhal,

30 I tried to be careful.

31
32 Council President Praisner,

33 I understand that but I want to make the point so everyone else as we all and all of us
34 are cautious as we proceed with any conversation at this point in time. The general
35 comment is that I think we all acknowledge the question of representation of the Board
36 of Appeals through its decisions that may be appealed is an issue that we have in front
37 of us that we are considering modifications to. And that Councilmember Leventhal's
38 point is that we need to come to closure on that issue sooner rather than later because
39 every day a new case arises. I think that is the essence of what the Councilmember was
40 saying without discussing specific cases that may be at different points in the process.
41 And how we do that and how quickly we can do that, what the preferences are, whether
42 we have the authority to proceed with those preferences at this point in time are all
43 issues that need to be brought to us and that we would hope the County Attorney's



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1 office working with our County Council Attorney will bring to us and the County
2 Executive's input obviously will bring to us as soon as possible. Okay.

3
4 Allison Fultz,
5 Yeah.

6
7 Council President Praisner,
8 Okay. Anyone want to comment? Councilmember Andrews you had your light on.

9
10 Councilmember Andrews,
11 Well I wanted to say I think it is important to hear back on that. I wanted to echo what
12 Councilmember Leventhal said about the great job that Marc Hansen has done for us
13 not only as Acting Director but in his years in the County Attorney's office and Marc,
14 given your remarkable prescience about what could happen with the Board of Appeals,
15 do you have any thoughts what might happen with the stock market in the next 30
16 years.?

17
18 Mark Hansen,
19 (laughter) We'll talk about lottery numbers later.

20
21 Council President Praisner,
22 (laughter) Allison, you will have a chance later when we get to the Board of Appeals
23 budget. But if you wanted to make some general comment now, or comments since you
24 are in the room, I certainly would give you that opportunity.

25
26 Allison Fultz,
27 Well, thanks for that opportunity.

28
29 Council President Praisner,
30 Certainly understand the caveats better than I do. Certainly.

31
32 Allison Fultz,
33 I'm Allison Fultz, Chair of the Board of Appeals and the Board as a policy matter
34 actually sees this as a very question that is framed simply and a solution that can be
35 presented very simply. And it really is a policy matter relating to the integrity of the
36 administrative process that the Council has set up with respect to the Board of Appeals,
37 the kind of decisions it makes, why it renders the decisions in the context in which it
38 renders its decisions and the context in which those decisions are appealed. I know I
39 have had and the Board has had several conferences and conversations with various
40 Councilmembers amplifying, our view that the best way to allow the administrative
41 process to retain the integrity that clearly was intended when the Board of Appeals --.

42
43 Council President Praisner,



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1 Allison, I just wanted, we will have a chance with the Board of Appeals to have a lengthy
2 conversation when we do the budget. I just wanted, if you wanted to make a comment
3 about the Council's desire to move to resolution at this point.

4
5 Allison Fultz,
6 I think the sooner the better. And I think there may be a simpler solution than having
7 outside counsel represent this.

8
9 Council President Praisner,
10 Well, I'd rather, didn't want to go in the details. If you have options we can look at, we'll
11 do that. But I think the point is you believe it's the sooner the better as well.

12
13 Allison Fultz,
14 Absolutely.

15
16 Council President Praisner,
17 Okay. Alright. There are no other lights so the County Attorney's budget stands. Thank
18 you all very much.

19
20 Mark Hansen,
21 Thank you.

22
23 Councilmember Trachtenberg,
24 Okay, we are going to move on to item number 9 which is the recommendations from
25 the MFP Committee relating to the Operating Budget of the Office of Management and
26 Budget. And I know we have several folks here this morning who will be joining us in the
27 conversation. And for the purpose of recording I'd ask that you introduce yourself
28 formally.

29
30 Joe Beach,
31 Good morning. Joe Beach Director Office of Management and Budget.

32
33 Mary Beck,
34 Mary Beck OMB.

35
36 Alex Espinosa,
37 Alex Espinosa OMB.

38
39 Councilmember Trachtenberg,
40 Thank you for being here this morning. The Committee discussed the proposed budget
41 and recommended no reductions. And at this time I'd feel compelled to note that the
42 request did not include additional, well it didn't include improvements. And I think that's
43 important to state. And actually one of the things that I wanted to put out there for



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1 discussion and I'd ask Joe potentially to comment about this, is the discussion that the
2 Committee members had about the need for audits more routinely.

3
4 Council President Praisner,
5 That's Finance.

6
7 Councilmember Trachtenberg,
8 Right. OMB. And I wanted you to comment on that. I know we are going to talk about it
9 with Finance. But I am raising it with you. Because I know that you and I talked a little bit
10 about this as well on our trip up to New York City with the bond rating agencies. And
11 other than that I don't have any comments on what was provided, but I thought that this
12 might be a good way to start the conversation that I know we are going to have with
13 Jennifer from the Finance Department.

14
15 Joe Beach,
16 Thank you for the opportunity and thank you to Mr. Sherer for his excellent packet and
17 for your support. And just on the issue of audits, I mean, we have a very constrained
18 budget for the Office of Internal Audits within Finance. And it has I believe shrunk over
19 time. And it's something, it's one of those perceived overhead items that is difficult to
20 make those sort of improvements for. But I think it's often something that, in the long-
21 term you reap the reward for that so, I mean, I think that is something in the coming
22 year we really should look at, you know, how we can improve their capacity.

23
24 Council President Praisner,
25 Joe, the other issue that I think the Council had comments about and is anxious on is
26 the ability of the budget documents to provide the kind of information that the Council
27 needs in review and also the way it is presented for the general public. And I think,
28 obviously there are two different types of budgets. There is that citizen review and also
29 the indiv, maybe three, that individual in the citizen group who is really looking for that
30 one piece of budget and they don't know what happened to their special project. And
31 obviously the budget reflects programs that are continuing from year to year in that
32 format and structure, many which are outdated and have to wait for the subsequent
33 years. And also the issue of focus on what is added to the budget and what has been
34 deleted rather than the in-depth kind of review presented in the budget. We have had
35 some attempts with program budgeting. And I think Park and Planning has done an
36 incredible job in the short time to try to bring us a program budget. We've identified
37 places where improvements are needed but I think Park and Planning has pointed the
38 way for all other agencies and county departments in looking at work years by program
39 and looking at ongoing expenditures as well as, and what, therefore what's in the base
40 of the budget as well as what's new or deleted. And a piece of this for the County has
41 always been the budget document, the budget instruments, the system, the technology
42 system that we have. I would hope that with the Management and Fiscal Policy
43 Committee in its after-budget scrub so to speak in conversation, where we bring the
44 input from Councilmembers about what they wish they had and our analysts. Even the



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1 personnel complement generates some questions I think as we look at that document
2 about how, it is easier though because you can see the grade differences from year to
3 year, you can also see the chargebacks and the lapse assumptions, you can see cost
4 and personnel costs including benefits separated out, you can see all of that as well as
5 see sources of funding other than County funding. So I am hoping that after the budget
6 when we have that conversation, the overall conversation, that we can use that to move
7 aggressively because I know this Council is very anxious to look at much more than the
8 kinds of items we can only get to when we're doing, can get to when we're doing the
9 budget review. And I think the audits and the other information that we have gotten from
10 OLO reports and base budget reviews highlight the places where there is an interest
11 and where information, important information, is surfacing so. That's a long way of
12 saying that our conversation this summer or fall needs to be, I think, with proposals from
13 your office, of what you need as tools, to move us to a better budget document.

14
15 Joe Beach,

16 Well, as I said before I am definitely committed to making some changes and
17 improvements in the budget document and we'll definitely work with Ms. Trachtenberg
18 and the MFP Committee and the rest of the Council in doing that, but, we do struggle
19 with a few things. I mean, it's such a large budget, over four billion and so we struggle
20 with making it both, provide enough detail as well as making it clear and accessible as
21 well as comply with the GFOA requirements as well. So it is sort of a balancing act.
22 There's a lot of different audiences for the budget and different expectations about what
23 will be in there. So it is sort of a balancing act but we are trying to, you know, see how
24 we can improve it and getting questions from my staff about what specifically I mean by
25 that but it is definitely a summer work item that we'll work with the Council on.

26
27 Council President Praisner,

28 It might be helpful, I know the GFOA certification is a very important element and bond
29 rating agencies and others look at that and say that there is a credibility or confidence
30 level that they can have with the fact that GFOA and others have said, certified that this
31 is, as a document and as a process one that they can have a confidence level with.
32 Some counties and jurisdictions though have found ways to both get that certification
33 and also develop different generations of documents, of different iterations or versions
34 for different purposes. And I, and with the capacity to do things online as well, I think
35 that is where we need to be looking at how you could manipulate information to get and
36 manipulate I mean reformatting information so that you can get answers to the
37 questions that folks might have. The other point of course is I think we need to move
38 and we made only modest attempts with the Library Department as a guinea pig in
39 looking at program budgets but I found the library program budget not as helpful
40 because they are too big a program, you know, the programs are too large and
41 therefore have too much in them to be able to do the kind of analysis or review. Since
42 we had a conversation with them, Parker Hamilton and others from the Library
43 Department about their youth initiatives, I think it does, and we had some comments of
44 Councilmember concerns about the fact that multiple agencies or whether you call it



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1 gang prevention and youth support, gang intervention, umbrella seems to capture a lot
2 of things, maybe that needs, something like that needs to be presented across
3 departments as a, in the budget document and we start to look not at department by
4 department budgets but by program budget. At least in some version so that we can
5 see all of the resources associated with something, neighborhood building. We asked
6 the question the other day about rental assistance which appears in multiple programs
7 in multiple departments. If we start to look at these things over, across the departments
8 are not impediments to looking at the delivery of service and also the analysis of that
9 delivery I think we'll move this along better. So I hope we can see, you can tell us what
10 would be, what are the impediments now to our doing that and what is, what can we do
11 to move in that area, in areas where the council may and the Executive may have said
12 this is a priority. And how do we put in our priorities all the funds, look at at least and
13 evaluate all the funds that are associated with the Council and the Executive priorities
14 for specific things, specific priorities? I think that's a way to tell the public, this is our
15 priority and these are the places where the priorities are being funded, and these are
16 the dollar amounts associated with it. This person has a piece and this person has a
17 piece but this is it all together and then we can start to look at okay, what are the
18 measures for success and accountability associated with that. So there is a lot of work
19 that I think from that perspective we need your help in.

20
21 Joe Beach,

22 Sure and what you are saying is very consistent with a results-based approach that we
23 are trying to move more toward with the Council on.

24
25 Councilmember Trachtenberg,

26 Yeah and actually that, my last set of remarks were going to address precisely that, that
27 I think that we have got to concentrate more on those performance measures and not
28 so much workload or output and I think that we have gotten in the habit of that and I
29 would like us to move more into a measurement of performance. So I look forward to
30 those conversations and I know my colleagues on MFP do as well. Do we have any
31 other lights?

32
33 Council President Praisner,

34 Nope we don't so we can move on to Finance.

35
36 Councilmember Trachtenberg,

37 Thank you for coming.

38
39 Council President Praisner,

40 Risk management and the NDAs for Risk Management, Working Families Income
41 Supplement and Restricted Donations. And invite Jennifer Barrett to the table and folks
42 introduce themselves as well. Terry do you want to start, Terry?

43
44 Terry Fleming,



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1 Sure, Terry Fleming with Finance Department Division of Risk Management.

2
3 Nancy Moseley,
4 Nancy Moseley with the Department of Finance.

5
6 Jennifer Barrett,
7 Jennifer Barrett, Finance Department.

8
9 Mary Beck,
10 Mary Beck, OMB.

11
12 Alexandra Shabelski,
13 Alexander Shabelski, OMB.

14
15 Councilmember Trachtenberg,
16 The Committee discussed the recommendations provided by the Executive and
17 approved them. I wondered at this point whether Jennifer would maybe like to make
18 remarks. Anyone there? You know again, I raised the question with Mr. Beach in prior
19 conversation about the internal audits and I would just again put it on the table here in
20 conversation.

21
22 Council President Praisner,
23 Yeah the Management and Fiscal Policy Committee over the years has been concerned
24 about having adequate attention to audits whether, through the Inspector General, the
25 Office of Legislative Oversight and also through Karen's unit when Karen was taking
26 care of that originally. Karen Hawkins.

27
28 Jennifer Barrett,
29 It's Veronica Kidder.

30
31 Council President Praisner,
32 Oh Veronica, I'm sorry, you're right. Absolutely.

33
34 Jennifer Barrett,
35 Karen does have that background though and I – in her new position.

36
37 Council President Praisner,
38 Yeah right. But from a standpoint of the audits that we do usually it's not necessarily
39 County personnel, it's also external contractors.

40
41 Jennifer Barrett,
42 We do use external contractors, yes.

43
44 Council President Praisner,



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1 And the concern that I have is I think Councilmembers become aware there is more
2 interest in having the capacity to do more internal audits. And I wondered whether say,
3 an addition of \$50,000 would allow you to do any expansion of contracts or whether that
4 is not adequate, what the dollar amounts would be associated with say giving you the
5 capacity to do two, three, four more audits this year?

6
7 Jennifer Barrett,

8 I think that the challenge for us will be, but I do have an idea in mind to adjust, we do
9 heavily use external auditors. The amount has grown a little bit over the past few years
10 because we've added some money related to the Government Compliance Initiative
11 because we are following up on things that are coming out of that program especially
12 the hotline. We also are making use of, utilizing funds in departments to conduct an
13 audit that we see a need to do, that Veronica has identified. And I apologize for her not
14 being present, she is out of the country this week.

15
16 Council President Praisner,
17 Okay.

18
19 Jennifer Barrett,

20 The, for instance, we are engaged in an audit right now on the Conference Center but
21 the funding is in the Conference Center NDA which you all have approved. It's
22 something we definitely can look at for FY09 budget process as Joe mentioned. But we
23 did mention the cost of the audits are increasing over the years, depending on the
24 complexity.

25
26 Council President Praisner,
27 So would \$50,000 be able to allow you to do additional audits?

28
29 Jennifer Barrett,
30 One large audit.

31
32 Council President Praisner,
33 Okay. Well then I'd like to put \$50,000 on the reconciliation list to add the capacity to do
34 more audits in this coming year.

35
36 Councilmember Trachtenberg,
37 Yeah, and actually I want to also suggest that --.

38
39 Council President Praisner,
40 Any objections to doing that?

41
42 Councilmember Trachtenberg,
43 Within the MFP Committee, that what I'd like to do, pardon me?



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1 Council President Praisner,
2 Audit away.

3
4 Councilmember Trachtenberg,
5 Audit away.

6
7 Jennifer Barrett,
8 Thank you.

9
10 Councilmember Trachtenberg,
11 And actually, what I'd like to do is within the MFP Committee I would like to address the
12 idea of not only looking forward with next year's budget around investments in this area,
13 but really to get some sense of a schedule as well. Because I know individual
14 Councilmembers have had discussions around specific programs and departments. And
15 it would seem to me that probably what we want to do is organize this in such a way
16 that we are not replicating, that we're taking full advantage of what we are doing and we
17 have an actual plan around it.

18
19 Council President Praisner,
20 I just got a mouthing comment from one Councilmember and I think it probably reflects
21 some sentiments. This is a one-time type things in that it's a contract and you don't have
22 to renew it, it doesn't add personnel costs with it. I'd rather put two \$50,000 items on the
23 reconciliation separately.

24
25 Unidentified
26 I'll second that too.

27
28 Councilmember Trachtenberg,
29 Yeah. I'll third it. Sounds good to me.

30
31 Council President Praisner,
32 You want to go to Risk Management or any of the other NDAs at this point?

33
34 Councilmember Trachtenberg,
35 Yeah, I don't think so unless there are questions from any colleagues. It's pretty
36 straightforward. Well with that I think we have approved what was provided to us from
37 the Executive for these areas and I thank all of you for being here this morning. I am
38 going to move on to item number 12.

39
40 Council President Praisner,
41 No, 11.

42
43 Councilmember Trachtenberg,



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1 Oh, excuse me. Yeah, Debt Service, ah, that's right, for some reason I was forgetting
2 this category. We're going to go to the --.

3
4 Council President Praisner
5 It can't be forgotten.

6
7 Councilmember Trachtenberg,
8 (multiple voices) No, exactly but it's very interesting that I wanted to skip to 12. Let's see
9 I believe that again we approved what was recommended by the Executive on this and I
10 would ask those that are here this morning to help us have this conversation and
11 identify themselves, introduce themselves for us.

12
13 Glenn Wyman,
14 Glenn Wyman with the Department of Finance.

15
16 Council President Praisner,
17 Glenn, you need to push the mic.

18
19 Glenn Wyman,
20 I'm sorry. Glenn Wyman with the Department of Finance.

21
22 Jacqueline Carter,
23 Jacqueline Carter, OMB.

24
25 Councilmember Trachtenberg,
26 And Jennifer of course is here. Again, this is straightforward. Do any Councilmembers
27 have questions?

28
29 Council President Praisner,
30 I just want to confirm that should the Council support a Capital Budget that is greater
31 than the Capital Budget Debt Service required by the Executive, that the net increase is
32 \$100,000.

33
34 Jennifer Barrett,
35 That we have to appropriate.

36
37 Council President Praisner,
38 We have to appropriate the total amount.

39
40 Council President Praisner,
41 But an assumption of the revenue we have to appropriate the total amount.

42
43 Jennifer Barrett,
44 Right.



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1
2 Council President Praisner,
3 -- do we assume the additional earned profits? We can't do that yet.
4

5 Jennifer Barrett,
6 It depends on the Council, if it's just normal expenditures in the course of budgeting we
7 just base that \$300,000 revenue number based on it being spent out over the coming
8 year.
9

10 Council President Praisner,
11 So you can't --.
12

13 Jennifer Barrett,
14 So if it is going to something that is funding something already spent -- , et cetera.
15

16 Councilmember Leventhal,
17 Madam President?
18

19 Council President Praisner,
20 Sure.
21

22 Councilmember Leventhal,
23 I think this is a matter which all Councilmembers would benefit from understanding.
24

25 Council President Praisner,
26 Okay.
27

28 Councilmember Leventhal,
29 I sense that you and Jennifer are sort of speaking in shorthand.
30

31 Council President Praisner,
32 Okay, I'm sorry. Let me start this way. The County, the Debt Service within the budget
33 that we are approving is associated with the Executive's number for the Capital Budget.
34 If the Council decides that it has a Capital Budget greater than the Executive's, then we
35 have to assume a greater Debt Service because we are issuing more bonds.
36

37 Councilmember Leventhal,
38 And we have to appropriate current revenue to make up the difference?
39

40 Council President Praisner,
41 No we have to --.
42

43 Councilmember Leventhal,
44 No?
45



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1 Council President Praisner,

2 No. I'm sorry, that was the, there, in the issuance of greater debt there is a payment for
3 the debt but there is also a revenue that comes in depending upon how you sell that
4 debt and when.
5

6 Jennifer Barrett,

7 Yeah, exactly. Because we just issued bonds on Tuesday. We issued 250 million
8 because that's how much expenditures we have related to the--.
9

10 Councilmember Leventhal,
11 Capital Budget.
12

13 Jennifer Barrett,

14 Expenditures thus far in FY07. When we issue that 250 in General Obligation Bonds
15 what we took out is our interim financing mechanism which is a bans Commercial Paper
16 Program. The Bonds Program, there is no earning on that because you issue the
17 bonds, it takes out Commercial Paper and you are done. You just pay future Debt
18 Service on it. Because it's too late to add to that issue we just did, what we would fund,
19 any additional expenditures the Council approved in FY07 above the already approved
20 levels, so we're talking about you all increasing bond funded expenditures approved for
21 FY07. We would then, because we are going to go out with Commercial Paper shortly
22 to give us more capital finance expenditures. That is usually spent out over the course
23 of the next twelve months until our next GO Bond issue. The Commercial Paper
24 Program, until the money is spent we actually can invest it.
25

26 Councilmember Leventhal,
27 Yes.
28

29 Jennifer Barrett,

30 And earn interest on it.
31

32 Councilmember Leventhal,
33 Yes.
34

35 Jennifer Barrett,

36 As long as we spend it within our spend down requirements, we have no arbitrage
37 concerns. We can earn interest on it even greater than the expenditure costs. But in this
38 case because you are spending it, if it just sat there we would have a benefit. But we
39 spend it. So we have estimated that the \$11 million over the upcoming 12 month period
40 would cost us \$400,000 in interest expense, but if it's spend down, just regularly steady
41 basis over that twelve month period, we have \$300,000 in revenue. If \$11 million goes
42 to something that is spent immediately, there is no revenue.
43
44



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1 Councilmember Leventhal,
2 I see, okay.

3
4 Council President Praisner,
5 So it depends upon what we make our, what the actual decisions are in the Capital
6 Budget.

7
8 Jennifer Barrett,
9 On the revenue side. We'll need the \$400,000 appropriation.

10
11 Unidentified
12 Right.

13
14 Jennifer Barrett,
15 As Marilyn knows and then it's simply if your revenue assumption is dependent on how
16 you program it.

17
18 Council President Praisner,
19 Right. You still have to appropriate an additional \$400,000 in Debt Service. The
20 question is whether you can assume any revenue in that and what that amount is and
21 we won't know that until we know the context of the Capital Budget for the 07 actions
22 but also that what is the first half of 08. But it is the calendar year 07 that we are dealing
23 with as far as the bonds and actions for projects, okay? So you'll have to trust me on the
24 bits and takes with that amount. They're relatively small but they are different and that's
25 when different numbers will appear than what we are talking about right now.

26
27 Councilmember Trachtenberg,
28 Yeah.

29
30 Council President Praisner,
31 Okay.

32
33 Councilmember Trachtenberg,
34 And there's actually a very overview of this on the second page of the packet I think, in
35 terms of what is actually going on with the numbers. So it doesn't look like we have any
36 lights?

37
38 Council President Praisner,
39 Nope, we can move on to Grants to Municipalities in Lieu of Shares Tax, Future
40 Federal/State/Other Grants, and the Takoma Park Police Rebate. I would recommend
41 that you speak first about the Future Federal and then the Takoma Park Rebate and
42 then since I know there are differences of opinion there may be some conversation and
43 we have two mayors in the room who may want to make some comments when we
44 have a chance. We will deal with it in that order. I think it will be easier for the Council.



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1
2 Councilmember Trachtenberg,

3 Okay, well we'll start the conversation with Future Federal/State or Other Grants. And
4 note that this account is funded entirely from non-County sources and it permits the
5 County to accept and spend funds from grants by transferring funds from this account
6 rather than requesting supplementals. And I see no lights on that issue.

7
8 Council President Praisner,

9 So it stands. And the next piece would be. The Tacoma Park Police Rebate.

10
11 Councilmember Trachtenberg,

12 Right and we, I see Mr. Elrich putting his light on. And I note that we do have some folks
13 here.

14
15 Council President Praisner,

16 I don't know if you want to speak to this issue.

17
18 Councilmember Trachtenberg,

19 Right.

20
21 Council President Praisner,

22 This is pretty pro-forma.

23
24 Councilmember Trachtenberg,

25 Right.

26
27 Council President Praisner,

28 It's just the same dollar amount and it comes every single year.

29
30 Councilmember Trachtenberg,

31 Right.

32
33 Council President Praisner,

34 So there is no, as separate from the Municipal Tax Duplication.

35
36 Councilmember Trachtenberg,

37 Okay.

38
39 Council President Praisner,

40 Where there have been issues in that --.

41
42 Councilmember Trachtenberg,

43 Okay.

44



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1 Council President Praisner,
2 Mr. Elrich's light is on.

3
4 Councilmember Trachtenberg,
5 Right I saw his light.

6
7 Council President Praisner,
8 We have two different pots.

9
10 Councilmember Trachtenberg,
11 Yeah, and --.

12
13 Council President Praisner,
14 That we call Takoma Park Police.

15
16 Councilmember Trachtenberg,
17 Well, Marc's got his light on for item, the third item that we're going to do.

18
19 Council President Praisner,
20 Yeah, right and when you finish with your introductory comments, I will see if Chuck has
21 any comments and then turn to Mr. Elrich.

22
23 Councilmember Trachtenberg,
24 Okay, well in terms of the Takoma Park Police Rebate, again it's itemized very clearly
25 on the first page of the packet. There is a slight increase, a change of \$59,000. And,
26 you know, I don't know if that's just the --.

27
28 Council President Praisner,
29 That gets, the actual amount does vary when we finish the budget I recall. So that
30 number each year might get slightly modified. Right. But it's close enough for
31 government work, I think at this point, right?

32
33 Councilmember Trachtenberg,
34 Okay.

35
36 Council President Praisner,
37 Okay.

38
39 Councilmember Floreen,
40 I never thought I would hear you say that.

41
42 Councilmember Trachtenberg,
43 Well, --.



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1 Council President Praisner,
2 It's Friday, Nancy, you never know what I am going to say.

3
4 Councilmember Trachtenberg,
5 Okay, we are going to move on to item number 3 which is the Grants to Municipalities in
6 Lieu of Shares Tax.

7
8 Council President Praisner,
9 Yes.

10
11 Councilmember Trachtenberg,
12 And that I know we have some folks here in the --.

13
14 Council President Praisner,
15 Yes, and if the --.

16
17 Chuck Sherer,
18 Not for that one.

19
20 Council President Praisner,
21 No, it's item, it's Grants, oh, okay, I'm sorry. It's Municipal Tax Duplication.

22
23 Councilmember Trachtenberg,
24 Okay. Yeah, I am sorry. I thought that is where we were.

25
26 Council President Praisner,
27 No, I just went backwards on the Municipalities in Lieu of Shares Tax.

28
29 Councilmember Trachtenberg,
30 Okay.

31
32 Council President Praisner,
33 Because then we'll move into the other Municipality people.

34
35 Councilmember Trachtenberg,
36 Okay.

37
38 Council President Praisner,
39 I don't think -- .

40
41 Councilmember Trachtenberg,
42 Want me to talk about it now.

43
44 Council President Praisner,



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1 No, there are no, I don't think there are any questions on those but I just wanted to back
2 them in.

3
4 Councilmember Trachtenberg,
5 Okay.

6
7 Council President Praisner,
8 Because we're in Municipalities.

9
10 Councilmember Trachtenberg,
11 Marc, did you want to comment?

12
13 Councilmember Elrich,
14 I'm just going to wait and let other people --.

15
16 Councilmember Trachtenberg,
17 Okay.

18
19 Council President Praisner,
20 Number 13 is the NDA Municipal Tax Duplication and that's where we are right now.

21
22 Councilmember Trachtenberg,
23 Right. So I would ask those that are here that I know want to participate in this
24 conversation come on up and join us and introduce yourselves.

25
26 Mayor Kathy Porter,
27 I am Kathy Porter Mayor of the City of Takoma Park. And I wanted to say how much we
28 appreciate the support for Takoma Park's Tax Duplication as I noted earlier Takoma
29 Park had attempted to renegotiate this last year but the former County Executive
30 appropriately I think felt that this was something that should be carried forward to his
31 successor. And so we didn't have the opportunity to do that. Having said that, I want to
32 say that we in Takoma Park are here to support the full funding for the rebates for all
33 municipalities. There has been a process that has been ongoing for some time. There
34 have been informal discussions with the County Executive. We have now gone to a
35 formal task force between the municipalities and members of the Executive's staff and
36 the government. And this is a gesture I think of good faith and of leveling the playing
37 field on the part of the County Executive which we very much appreciate. We are going
38 into these discussions in good faith and the future rebates for municipalities will be
39 based on what comes out of these discussions between the municipalities and the
40 County Executive. I think that this amount is, it's certainly very important to us. We have
41 already begun our budgeting process with the assumption that there would be this
42 amount for you know, from this particular source and it would be difficult for us to
43 reverse course at this late date for us. And I think there is also an issue of going into



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1 these discussions between the municipalities and the County Executive with a level
2 playing field and with goodwill on both sides which is what our intention certainly is.

3
4 Council President Praisner,
5 Mayor Katz.

6
7 Mayor Sidney Katz,
8 Thank you, very much. Good morning, my name is Sidney Katz. I'm the Mayor of
9 Gaithersburg and I'm here to quote Mr. Adler and we sincerely support the Executive's
10 budget. And I ditto what, I ditto what, he didn't realize he was going to be that famous
11 after today but, and I ditto what Mayor --..

12
13 Council President Praisner,
14 The budget according to Adler.

15
16 Mayor Sidney Katz,
17 That would be a good way to say it. And I also ditto what Mayor Porter has said. We
18 stand for all municipalities to work together to have, to continue to have Montgomery
19 County as their partner. I serve as the County, Montgomery County Chapter President
20 of the Maryland Municipal League and this is obviously of a great concern to all the
21 municipalities in the County.

22
23 Council President Praisner,
24 Okay, now, I don't know if you want to make some more comments about the
25 Committee's recommendation and we have lights.

26
27 Councilmember Trachtenberg,
28 Yeah. Well, actually I thought before we had other Councilmembers share, I would start
29 by recapping what was discussed and decided within the Committee. Basically, two
30 MFP Committee members, Council President Praisner and Councilmember Berliner
31 voted to reduce the budget by \$692,000 and that was basically the staff's calculation of
32 the difference between the Executive's recommendation to keep the FY08 payments the
33 same as FY07 and the amounts of the payments would have been based on the
34 formulas. I was not in agreement with that recommendation and in effect, the
35 Committee put the entire amount on the reconciliation list in three increments.

36
37 Council President Praisner,
38 It's 642 not 692. That's a staff recalculation.

39
40 Councilmember Trachtenberg,
41 Okay, so it's 642. Alright.

42
43 Council President Praisner,
44 And we do have lights.



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1
2 Councilmember Trachtenberg,
3 Yes.

4
5 Council President Praisner,
6 Councilmember Elrich.

7
8 Councilmember Elrich,
9 I've sat on the other side of these negotiations for – .

10
11 Councilmember Trachtenberg,

12
13 I am aware of that.

14
15 Councilmember Elrich,
16 For many many years.

17
18 Unidentified
19 (inaudible)

20
21 Councilmember Elrich,
22 That's right, this is concern that is shared by a number of us. I think that, one thing
23 different about the Rebate Program, this is not about funding a County program and
24 debate about programs, it's really a discussion about municipalities that provide
25 services that would otherwise be provided by the County and what the fair and just
26 rebate is to those municipalities for those services. So this is different in that regard than
27 deciding what level are we going to fund a program which the County undertakes. So, I
28 think that sort of sets this apart. I can say that for many years as a municipal official, we
29 worked very hard, very hard to try to negotiate and renegotiate – with the County and
30 found this process extraordinarily difficult. We used to have meet and confirm sessions
31 with the County Executive and they were sort of like meet and be told session by the
32 County Executive and it didn't really matter who the County Executive was, they were
33 not meet and confers and the idea of conferring and reaching some kind of amicable
34 agreement about things just never entered into the discussions. I think that there are a
35 number of issues which need thorough review. I know the City of Takoma Park, the, this
36 budget would allow about \$380,000 for Public Works Rebates. The city pays \$146,000
37 just for street lighting to Pepco alone which is a cost the County would pick up if there
38 was no City of Takoma Park. This would be the bill that the County would have and the
39 idea that you could do all the paving work and all the street work and sidewalks and
40 maintaining right-of-ways within \$250,000 for the rest of the city just would not happen. I
41 actually suggested in my last term on the Council that the City basically tell the County,
42 if you think you can take care of all these services for 250, have at it, we'll give you the
43 Public Works for the City of Takoma Park. I think it goes to a number of different items,
44 housing, parks, recreation and I think it makes sense to hold everybody harmless this



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1 year, leave the rebates as the Executive suggested and rely on the outcome of what I
2 think is long awaited negotiations between the municipalities and the County Executive
3 which ultimately will wind up in our lap anyway and determine whether or not what
4 comes out of that is fair, we are going to be the ultimate arbiters on whether or not we
5 think that's fair. I think it's important we let this process play out. It's not as if the
6 municipalities didn't try to have this discussion a year ago or two years ago. We did. We
7 just couldn't get the discussion going. So I would ask my colleagues to support the
8 County Executive's recommendations and let's come back and look at this next year
9 knowing that from a municipal perspective there is no guarantee that the outcome is
10 going to be better rather than worse. And we haven't prejudged that. I know that I would
11 be surprised if the, if fair formulas came up with a worse result but a fair formula will
12 produce whatever it produces. But given that both the Executive before and the
13 municipalities felt that the formulas needed reworking, I would like to ask the Council to
14 support the Executive and see what happens next.

15
16 Council President Praisner,
17 Councilmember Floreen.

18
19 Councilmember Floreen,
20 Thank you. I want to understand what the rationale was for reducing the amount.

21
22 Council President Praisner,
23 I would be happy since Councilmember Berliner isn't here to comment. The formula for
24 Municipal Tax is a formula that is agreed to at this point in time as the existing formula.
25 Everyone agrees that the formula needs to be updated and improved. But the formula is
26 based on certain categories of services for which the municipality provides the service
27 in lieu of the County and the calculation is done based on the County's cost to deliver
28 that service. And in order for it not to be a random number, the agreement in this
29 formula that exists now is that you take the most recent closed books for the County
30 and you apply that to each municipality based on, I think, the population, based on the
31 level of service that would have been associated by the County at that point. And the
32 municipalities therefore know what the dollar will be because it is based on the closed
33 County budget and they can get that information of what the closed County budget is
34 and what the formula would give them early enough to build their budgets. What I think
35 has occurred, and let's be honest, is there were private conversations with the previous
36 County Executive and maybe the current one asking the County Executive to not use
37 the formula, but to use the existing money and more money and whether it was County
38 Executive Duncan or conversations with County Executive Leggett, the agreement was
39 to give the municipalities more than the formula requires.

40
41 Councilmember Floreen,
42 How long has that been going on for?

43
44 Council President Praisner,



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1 There have been a couple of occasions where in the transition to get to the budget that
2 could be locked in, this may have occurred in the past. But the formula and the closure,
3 the budget it is used to calculate is actually part of the agreement that we are all talking
4 about needs to be reviewed.

5
6 Councilmember Floreen,
7 I was wondering how long had the increased --.

8
9 Council President Praisner,
10 It's for this year.

11
12 Councilmember Floreen,
13 Was it just this year?

14
15 Council President Praisner,
16 Yes.

17
18 Councilmember Floreen,
19 That has not been the case previously?

20
21 Council President Praisner,
22 No, just Police Rebate because we held them harmless. (multiple voices). Takoma
23 Park's Police – last year we held them harmless because there were issues with
24 changing beat structure and the police department was going through that and it was
25 unclear because of the change in the way that the Montgomery County Police was
26 deploying.

27
28 Councilmember Floreen,
29 But that's separate?

30
31 Council President Praisner,
32 Well, no, no, no, it's two pieces, Nancy.

33
34 Councilmember Floreen,
35 Two pieces of the --.

36
37 Council President Praisner,
38 Yeah, the one we did before that we just did the item above this, the Takoma Park
39 Police Rebate, that's based on an old law in a small amount and is a separate issue
40 nobody argues about. We keep rolling it along. The issue here is police as a part of, if
41 you look on Circle 4, you'll see under each of the municipalities, across the top you'll
42 see the topics for which this is delivered as a service. So it's only in those categories
43 that the calculation is made. And I suspect as Councilmember Elrich indicated that the
44 calculations or the categories may change in the future because the municipalities want



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1 it to be extended to other functions. But the functions now and the categories are these.
2 And then the calculation is based on what the County offers of that service and what
3 would, the County would have to offer of that service if there were no municipality.

4
5 Councilmember Floreen,

6 So, but in 07 we appropriated the amount that the County Executive is recommending
7 for this year. Was that number also not based on the formula?

8
9 Council President Praisner,

10 Only for the police. For the municipalities it was based on the formula.

11
12 Mayor Kathy Porter,

13 For Takoma Park's Police Rebate, it was not based on the formula.

14
15 Councilmember Floreen,

16 On the formula.

17
18 Mayor Kathy Porter,

19 And I might say that the reason that that Takoma Park is unique in that is because
20 Takoma Park is the only municipality that has exclusive police jurisdiction within its
21 borders.

22
23 Council President Praisner,

24 Everything else is shared.

25
26 Mayor Kathy Porter,

27 Everything else is covered by County Police.

28
29 Council President Praisner,

30 County Police. So in essence, the point of the majority of the Committee was that the
31 formulas and the dollar amounts that the municipalities following the agreement that
32 exists now, are supposed to be in their budgets are what the Committee originally was
33 recommending. We made some modification associated with Takoma Park Police.

34
35 Councilmember Floreen,

36 Okay, well, I see. Well, that's helpful. I have to say though, I do agree, I would as Mayor
37 Katz says and we're discovering new verbs this year, I would ditto what Mayor Katz
38 suggested. And I don't know, I don't know if that was a motion Marc but I would make
39 the motion to add the, to use the County Executive's recommended payment as, return
40 the dollars to the budget, take the money off the reconciliation list and add that to the
41 budget.

42
43 Councilmember Ervin,

44 I second that.



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Council President Praisner,
Okay, Councilmember Andrews is next.

Councilmember Andrews,
Thank you Madam President. The relationship between the County and municipalities is important, as has been described as a number of municipalities provide police services. It's complex, different municipalities provide different services and it varies a lot within the municipalities. And it's in need of review which the County Executive has recognized by committing and putting together or beginning to put together a taskforce to look at this issue and so I think the County Executive's approach I think is the best approach at this point which is to keep the payments at the same level as last year while this process goes on. And so for all those reasons I think it would be wise for the Council to go with the County Executive's recommendation this year which is the amount that was appropriated last year of \$7.48 million, I agree with my colleagues there.

Council President Praisner,
Councilmember Leventhal.

Councilmember Leventhal,
Thank you. First off all, I want to greet and welcome my two good friends Kathy Porter and Sidney Katz, these are a couple of really hard working public servants and just what we see here this morning, it's 11:00 on a Friday morning, they are here in Rockville and they have many, many other demands on their time. Their jobs are easily, easily as demanding as County Councilmembers jobs and we may feel that we're not adequately compensated but these guys make almost nothing for their efforts, it's hugely, hugely demanding and they are just excellent public servants, both of them.

Mayor Sidney Katz,
That's very kind, thank you.

Councilmember Leventhal,
I am going to vote for the motion. I want to say, I want to congratulate the County Executive who is one of most adept politicians around and he has appointed this taskforce, he is responding to the concerns expressed over many years by municipalities. But I want to say about that effort, as Mr. Elrich said, that municipalities should not necessarily assume that, you know, the result of this process is that everything is going to work out to their satisfaction. I live in the municipality of Takoma Park. I heavily use County services outside of the municipal boundaries of Takoma Park. I go hiking in Sligo Creek Park and I drive every day on roads outside of the municipality of Takoma Park and, you know, my children attend the County public schools which are not run by the municipality so, you know, there has to be some fair understanding that our municipalities are not that large and that residents of municipalities also benefit from services outside the municipalities. In addition, I just



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1 want to share a quick anecdote. I own one rental unit, it's the first house that my wife
2 and I owned and we just kept it and so we rent it out and the City of Takoma Park made
3 the decision a few years ago to give housing code enforcement to the County, that the
4 City of Takoma Park was inventorying those things that it felt it might not be the best
5 suited to provide. Code Enforcement by Montgomery County is way tougher than code
6 enforcement was by the City. I mean, I can tell you from first hand experience, year
7 after year the City Inspector would come to my rental home and say fine, fine, fine, fine
8 and ever since the County took over code enforcement, I'm not complaining because
9 it's a good thing, the County has cited me, not cited me but has given me a list, not cited
10 me, let me just finish now, they've given me a list of things that needed to be corrected
11 in the interest of the tenants. So, I've had to paint the house, I've had to install railings at
12 the house, I've had to fix windows at the house, I've had to put in new, attic stairs at
13 house, I've had to do all kinds of stuff. I think that's great, I mean, I'm a conscientious
14 landlord. This is not, I'm not joking, I know sometimes I joke around. No, come on, I am
15 telling a serious story here. Okay, so I don't object to that, I mean, these were all things
16 in the interest of the tenants so the point of the story is that this was a function, in my
17 opinion, better performed by the County than it had been performed in the past by the
18 City. And so number one I would really urge all cities to continue to assess whether
19 economies of scale and general efficiency and general capacity to deliver services
20 might in fact be better performed by the County, that's my first point. My second point,
21 very quickly, we are not going to talk about this much between now and the time the
22 taskforce issues it's recommendations. I spoke a little while ago about collective
23 bargaining with respect to employee contracts, I love our employees, I love our
24 teachers, our cops, our firefighters, our County employees, they are terrific people. But
25 when the representatives of the taxpayer on behalf of County management sit down at
26 the bargaining table, my expectation is that they will strike a very hard bargain on behalf
27 of the taxpayers and similarly that employee representatives will work as hard as they
28 can to represent the interest of employees. So, my hope is, I am speaking to OMB now,
29 is that in the course of this task force on Municipal Duplication, we will do some real
30 hard negotiations on both sides. The purpose of this exercise should not be to hold the
31 municipalities hostage, but neither should it be to give away Christmas presents to the
32 municipalities. We should have a real honest up front conversation in the interest of
33 taxpayers on all sides. I read a lot of email that, you know, comes across my computer
34 and I think there are some over inflated expectations on the part of my neighbors in
35 Takoma Park about what might result from this task force. I am glad in the task force is
36 underway, I congratulate the County Executive for appointing it but I hope that the
37 County's representation at that table asks some real tough questions and is very frank
38 and candid about what services really are duplicated and what is really in the County's
39 interest. Final point, municipalities want more from the County and their excellent
40 representatives are here, two of the best politicians in the County, asking for money as
41 they should. The County wants more from the state, we always will. The state wants
42 more from the feds, it always will. So the fact that the city feels shortchanged by County
43 is not surprising. We all feel shortchanged. We all want more revenue and that will
44 never really be fixed, it will never fully be satisfied.



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1
2 Council President Praisner,
3 Councilmember Trachtenberg wanted to comment as Chair of the Committee.

4
5 Councilmember Trachtenberg,
6 Yeah, actually I wanted to clarify what my position had been when the Committee had
7 discussed this and, you know, I had not supported the Committee recommendation
8 simply because I wanted the report to come out from the task force. I really felt that it
9 was important to hear back from the task force. So that had been my primary reason for
10 not supporting the Committee recommendation and at this time I would support the
11 motion that is on the floor.

12
13 Council President Praisner,
14 Councilmember Ervin.

15
16 Councilmember Ervin,
17 Thank you. First of all, I support the motion. I know this was a very, very important issue
18 during the campaign to the citizens of Takoma Park.

19
20 Mayor Kathy Porter,
21 Yes.

22
23 Councilmember Ervin,
24 And I would like to ask you this question. If this motion does not carry, how will it impact
25 taxpayers in both of your jurisdictions?

26
27 Mayor Kathy Porter,
28 Well, in Takoma Park it's a big chunk of our budget. We based on the assurances from
29 the County Executive the proposed budget from the City Manager includes this is
30 amount which we were assured by the City, by the County Executive, that it would be
31 included in his budget. It would probably increase our tax rate by about 2-cents or it
32 would severely impact city operations. It would do one of the two.

33
34 Mayor Sidney Katz,
35 And ours would be the same way. Our actual budget public hearing is Monday night, so
36 obviously if you get less revenue there is going to have to be something that you spend
37 less money on and that's what we would be forced to do. We would have to chose
38 something that is a city service or should be a city service that would have to be
39 reduced and getting back to Councilmember Leventhal's discussion about that there are
40 certain things that the County can do better and does do better, years ago the City of
41 Gaithersburg, we used to have our own Consumer Affairs Group and of course we
42 realized that Montgomery County did a better job and it was certainly more forereaching
43 than our community so we decided and the County Council at that time allowed us to
44 become a part of the County. And I think that's what it needs. We have always said that



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1 the reason we can exist, all of us, is the partnerships and we need to have a better
2 partnership or certainly as good as partnership with Montgomery County as we have
3 had in the past and that's what this task force, I believe is all about. And, you know, you
4 are right. We need to ask the fair questions and we need to be reasonable and realize
5 which each other does for each other and then figure out the best formula. But if we
6 don't have this funding for this year, to say that things are going to be cheaper this year
7 than they were last year is not logical, I mean gasoline, I mean everything we touch has
8 certainly gone up from last year so we do need the funds. And that will let us continue to
9 do what we can do until we can figure out what the formula should be.

10
11 Council President Praisner,
12 Councilmember Elrich last word from the Councilmembers.

13
14 Councilmember Elrich,
15 I really think this is not an issue of should we give the municipalities more but what we
16 give them should be fair. And I think that's the thing that the people have been
17 struggling with over a number of years. You are correct to point out that the city gave
18 inspections back to the County. But the City collects the fees and then pays the County
19 for the inspections. But if you were to go back in time to the mid-80s you would find that
20 the City took over the inspections from the County because the County basically
21 refused do inspections or proper inspections. We had rapidly declining quality of the
22 rental stock and there was a very rapid improvement in the quality of the rental stock
23 after the City took over inspections. We had a very good period of inspections. We had
24 a City Administrator, not the one sitting in the room, who basically undermined the
25 Housing Department and destroyed the ability to do inspections properly. And that's our
26 problem and I am happy that the city gave it back to the County in this case. But I know
27 in the 2005 report, you know, we have two bridges in Takoma Park, our share of the
28 County maintenance for two bridges was \$16 a bridge. You can't maintain a bridge for
29 \$16. So I do think this is really a fairness issue not a more issue. Make it will be more,
30 maybe it will be less. But the important thing is everybody feels it's fair at the end of the
31 day.

32
33 Council President Praisner,
34 Well, based on that comment, I have to make a comment because we also have to be
35 fair to the folks who are not living in the municipalities. And there is a formula and
36 everybody agreed that it has to be built on the previous budget in order to build in the
37 calculations and assumptions and so you can have clarity in building your budgets. I
38 think it's great that folks can have private conversations with the County Executives and
39 get assurances that their budgets will include something but the full Council has to act
40 and the public has to have an airing of that. And at the same time as we are giving non-
41 County municipal residents' money to municipal residents, because this is the full
42 taxpayer non-municipal funds in essence being given that way, we are cutting budgets.
43 There is, I believe if the Consumer Affairs Office wanted to, I am sure there are things
44 on the cutting room floor that the County Executive said no to as far as increases. We



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1 have an inspector for home inspections that is on the reconciliation list that could be
2 funded by these funds and still have tons of money left over. So in essence, and yes, it's
3 true that every level of government above would wish that those above it, gave it more
4 authority, the reality is municipalities do have taxing authority, they have bonding
5 authority and last time I looked Gaithersburg is paying cash for everything. Gaithersburg
6 has a reserve that is greater than its full years budget. So, if there is a crisis one could
7 deal with it in a variety of ways. I am not suggesting that you have all of the options
8 available to you but my point is, municipalities have more options available to them, just
9 as we do, more than someone else. And the non-municipal resident is picking up this
10 extra cost while possibly seeing a reduction in their services. The motion before us is to
11 use the County Executive's dollars in the NDA. All in favor? Councilmember Ervin,
12 Elrich, Floreen, Trachtenberg, Leventhal, Andrews and Knapp. Opposed
13 Councilmember Praisner. The motion carries. We will move on to NDA Leases. Thank
14 you.

15
16 Mayor Sidney Katz,
17 Thank you very much.

18
19 Council President Praisner,
20 Thank you.

21
22 Councilmember Trachtenberg,
23 Before us we have the MFP Committee recommendation on the Non-Departmental
24 Account for Leases. There is a table listed on the first page of your packet which shows
25 that the recommended County Executive budget is 15 million and change. One thing to
26 note is that there are some new leases provided as increases. Those are itemized on
27 pages 2 and 3 of the packet. And I would note that, and I was interested to see that
28 these leases reflect a great deal of the Human Services programs, the needs of those
29 programs that are ongoing and clearly being developed by the Executive. And the
30 recommendation again from the Committee was to support the proposed number. I
31 don't see any.

32
33 Council President Praisner,
34 Nope, there are no lights. So we can move on to the CIP Amendments for General
35 Government which is item number 15.

36
37 Councilmember Elrich,
38 Out of 30 something?

39
40 Council President Praisner,
41 Pardon me?

42
43 Councilmember Elrich,
44 Out of 30 something?



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Councilmember Trachtenberg,
Yes.

Council President Praisner,
Yes.

Councilmember Trachtenberg,
Yeah, we are getting there.

Council President Praisner,
Well, we are going to break at 23 and go to lunch.

Councilmember Trachtenberg,
Right.

Council President Praisner,
And actually number 31 has been removed.

Councilmember Trachtenberg,
So we only have out of 30 --.

Council President Praisner,
30, right, out of 30 as Councilmember Elrich indicated.

Councilmember Trachtenberg,
So we are almost halfway there. The items for Capital Improvements include an Executive budget adjustment relating to an elevator modernization and then the other projects that have been amended to reconcile with CIP are a planned lifecycle asset replacement and a roof replacement. And I wondered if I have got any lights? It doesn't look like it. Okay, so with that we are going to approve the adjustments as proposed. And that takes us to item number 16.

Council President Praisner,
Historic Activities and this is the PHED Committee and I don't know if anyone other than Jean, I don't think Gwen Wright is going to make it.

Councilmember Trachtenberg,
No, she is not.

Council President Praisner,
This is the Historical Preservation Commission Grant and also is higher than the 07 grant to reflect the merit increases for the staff. In the process of having this conversation about the Historic Preservation issues, what the Committee, and this is the PHED Committee we've now moved to, what the PHED Committee indicated as a work



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1 issue that is on our list is an attempt to try to pull together all of the Historic Preservation
2 elements so that we can look at them comprehensively rather than the piecemeal that
3 we have at this point. Councilmember Knapp.

4
5 Councilmember Knapp,

6 Thank you Madam President. I will willingly submit that I don't know anywhere's near as
7 much about Historic Preservation Commission or the efforts of historical over time as to
8 how things have proceeded. We've only had one recommendation on this, on the last
9 Council as to properties that have put forth to be recommended for historic designation
10 and I guess just in the course of conversation, I think there was only one on the last
11 Council, in the course of the conversation, --.

12
13 Unidentified

14 --.three individual properties.

15
16 Councilmember Knapp,

17 Three individual properties but I mean one --.

18
19 Unidentified

20 One yes.

21
22 Councilmember Knapp,

23 It comes through as one --.

24
25 Unidentified

26 One time, yes.

27
28 Councilmember Knapp,

29 Right. And I was surprised at the number, at the response by property owners who were
30 concerned that their property was designated. I thought this was a good thing and then
31 about half of the properties that were designated in my District, they all called and were
32 quite concerned.

33
34 Unidentified

35 Yes.

36
37 Councilmember Knapp,

38 And in subsequent conversations I have found a lot of difficult interactions between
39 individual property owners, HPC and then, but more importantly, the issue of how do
40 you finance something like an historic designation which is a good thing and, as we look
41 to try and maintain our past, but figuring out how to do it and have property owners
42 bearing a lot of that cost. I have heard from a number of folks who were basically
43 saying, you know, I would love to try and maintain it, I would love to try and do different
44 things but given the various requirements and the burden we would have to bear, it's



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1 easier for me to let a property fall into disrepair or decay and ideally ultimately go away
2 than it is for me to try and engage in the process of historic preservation. And I don't
3 know any of the right answers but I would encourage, I would like to have the PHED
4 Committee put this at some point on its agenda to explore further. And the thing that
5 really pronounced it for me is the Baltimore Sun called me one day in conversations that
6 we'd had as it related to Comsat and was doing a story as things are going on in
7 Baltimore and Gettysburg and Comsat and others and one of the challenges they were
8 finding in their interview was, how do you finance these types of activities? And what,
9 and they were finding the kind of just alternative mechanisms to look at and how do you
10 make this work?

11
12 Council President Praisner,
13 Well, it also came up in the context of some designations and state issues as well.

14
15 Councilmember Knapp,
16 So I don't know, I don't --.

17
18 Councilmember Floreen,
19 There is a history here.

20
21 Unidentified
22 There is.

23
24 Councilmember Knapp,
25 There is and I don't know, but I just, it's important I think to explore it further and so I just
26 put that out there as something that I would like to have the PHED Committee take a
27 look at and we can work together to try to figure it out.

28
29 Council President Praisner,
30 Be happy to. Jean if you could put that on the list. Thank you.

31
32 Jean Arthur,
33 I will and tell them not to let the property fall in disrepair because they can get cited for
34 demolition by neglect. Which is a whole other legal issue so.

35
36 Council President Praisner,
37 Okay, absent any other comments we will move on to the Board of Appeals. And I
38 thought, they are coming. No, can somebody call down and let the Board of Appeals
39 know that we're --.

40
41 Unidentified
42 They are on their way.

43
44 Council President Praisner,



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1 On their way, okay then since the People's Counsel is here, can we move to that one
2 first? And if, ask Marty Klauber ,to join us at the table. It's, this is one of those other
3 small budgets that we are reviewing today on Friday. The total budget is \$239,13, an
4 increase of almost, just short of \$14,000. And it is basically personnel costs for two full-
5 time positions operating expenses are, cover the rest of budget. There are really no
6 changes in the budget for the coming year and I would ask Mr. Klauber if he has any
7 comments he would like to make. Marty.

8
9 Marty Klauber,
10 No thank you.

11
12 Council President Praisner,
13 Okay. Alright. Absent any comments the People's Counsel budget is approved. And
14 here comes the Board of Appeals. So thank you. And if the Board of Appeals could join
15 us at the table, members of the Board of Appeals who are here and Allison if you want
16 to introduce yourself again. You want to introduce yourself.

17
18 Allison Fultz,
19 Good morning. Allison Fultz, Chair of the Board of Appeals.

20
21 Katherine Freeman,
22 And I am Katherine Freeman, the Executive Director of the Board of Appeals.

23
24 Council President Praisner,
25 And folks from OMB remain, we have a new member.

26
27 Helen Vallone
28 Helen Vallone, Budget Specialist.

29
30 Council President Praisner,
31 Okay. The Planning Housing and Economic Development Committee recommends
32 approval of the budget as submitted but we have also added on the reconciliation list in
33 two increments, \$70,600 to increase work years for the County Attorney assigned to the
34 Board of Appeals. And this issue comes out of questions and concerns that were raised
35 in our discussion with the Board of Appeals about the expectation of timelines for
36 response and for the issuance of reports associated with the three types of issues that
37 come before the Board of Appeals, special exceptions, variances and administrative
38 appeals. And what had been a concern that we had heard in the community including, I
39 think, at one of our town hall meetings was the length of time in which it is taken from a
40 decision to the actual document being drafted, being issued so that folks could then
41 respond, comment, file whatever action they might want to. And in discussing it with the
42 Board of Appeals I think one of the issues was to provide some additional time for the
43 County Attorney who is assigned to help with the review and/or drafting of these
44 documents. Allison, do you want to make any comments?



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Allison Fultz,

Yes. We thank the Council very much for the time and attention that's gone into the budget this year and we appreciate Amanda Mihill's efforts. I think that it would be a great benefit to have the County Attorney component increased because in addition to allowing us to produce what tend to be the most legally complicated opinions more quickly and those are the ones in the administration appeals where the County Attorney does, is sort of our front line person for drafting the opinion, it will allow us the flexibility to have the County Attorney help out if there is either a backlog or unusual number of complex cases in the other varieties of cases that we hear and decide. So I think adding that extra time will not only add capacity but flexibility. And we certainly support that and appreciate it.

Council President Praisner,

The other issue that we did talk about and I think Francoise will also want to comment when we have the Hearing Examiner budget is the issue of the volume of document that are associated with the records of cases and issues that have been historically, our history in essence. And questions came up about running out of space and what are the appropriate legal requirements as far as the documents and how can we either use technology to improve the storage issues but also what is the appropriate standard in completing and retaining those records. There is no recommendation here at this point because we need to have further conversation about it in a comprehensive way. It certainly doesn't, isn't exclusively a Board of Appeals issue although this County Council office building and the lack of space therein contributes mightily to the problem and it is often an issue of not just how long you keep material, what kind of material but also how retrievable it is for someone who needs to go back and look at that issue. And also the public's use of those materials when it is a live case as well. So we have had this conversation with Park and Planning about having enough space to spread out documents too. The final issue that came up when we talked about the Board of Appeals is everybody knows where the elevators are, everybody knows where the doors are, everybody knows where the Board of Appeals is physically located. As folks indicated to us in the packet and as our Council staff noted they are seeing more and more interruptions of work by folks who are not coming to the Board of Appeals but take advantage of the fact that there is a door there and obviously people inside to open the door and come in and ask questions as to how they find such and such a function. That is also a piece of the complexities of this building with all of its doors. Not everybody comes in through the canopy from the garage. Folks may come in from the first floor level and take the elevator up or wander around or come in from the cafeteria area and not know exactly where they are going. The other point we noted is that the signs that are in this building about other buildings beyond who is on what floor are not correct anymore with Middle Lane et cetera and the locations of things and they need to be updated and they need to be updated quickly. So the Committee asked our staff to pursue this issue with DPWT folks. And also to look with and work with the Board of Appeals about the relationship between the guard office and the Board of Appeals to try



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1 to see whether it's in the, some signage and document or whatever to make it easier so
2 that the Board of Appeals doesn't have to play direction cop. Allison, any other
3 comments you want to make, you made some earlier and/or Katherine?
4

5 Allison Fultz,

6 Well, actually, the much larger policy discussion doesn't really have any impact on our
7 budget so I will hold that for another time.
8

9 Council President Praisner,
10 Okay.
11

12 Allison Fultz,

13 But just wanted to note that we would welcome discussion about the electronic filing
14 and storage of documents. I know DPS is ahead of some of the other agencies in doing
15 this. And we certainly need to retain many of our records and definitely because as part
16 of the enforcement process DPS needs to come back on a yearly basis and look at the
17 special exception file. So I think we would welcome conversations with them as well.
18

19 Council President Praisner,
20 Great. Good.
21

22 Council President Praisner,
23 Thank you, all. There are no lights. Thank you, Allison.
24

25 Allison Fultz,
26 Thank you.
27

28 Council President Praisner,
29 And I saw Francoise come in. So can we move to the Office of Zoning and
30 Administrative Hearings and welcome Francoise Carrier, to the Director of the Office to
31 the table. And see if you have any comments and introduce yourself as well.
32

33 Francoise Carrier,
34 I'm Francoise Carrier, as Ms. Praisner said, Director of the Office of Zoning and
35 Administrative Hearings. We are not asking for any particular changes in our budget, it's
36 to, we're just sustaining the same function. There was an increase due to some earlier
37 budget errors that our wonderful new Budget Analyst discovered which have been
38 corrected and that's a one-time increase and hopefully we will keep track of those on a
39 yearly basis going forward.
40

41 Council President Praisner,
42 The fee increase that the Committee asked about has been submitted by the Office.
43

44 Francoise Carrier,



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1 Yes.

2
3 Council President Praisner,
4 And will be introduced on May 17th.

5
6 Francoise Carrier,
7 Correct.

8
9 Council President Praisner,
10 And that will allow us to continue on a cycle to review these issues. I want to thank you
11 and Marty and everyone, Phil when he's available, for the great support that we receive
12 from your office.

13
14 Francoise Carrier,
15 Our pleasure.

16
17 Council President Praisner,
18 Thank you very much. I see no lights. We will now move to the next budget which is the
19 Department of Permitting Services and invite folks who are here for that item to join us
20 at the table and to introduce themselves. Reggie, Stan.

21
22 Reggie Jetter,
23 Reggie Jetter, Division Chief, Department of Permitting Services.

24
25 Maggie Orsini,
26 Maggie Orsini, Management and Budget Specialist, Department of Permitting Services.

27
28 Tom Laycock,
29 Tom Laycock, IT Manager, Permitting Services.

30
31 Hadi Mansouri,
32 Hadi Mansouri, Acting Division Chief for Building Construction.

33
34 Council President Praisner,
35 Thank you. I assume that the Department, that Carla could not be here today.

36
37 Reggie Jetter,
38 Yes. She regrets she can't be here today, she is out of town.

39
40 Council President Praisner,
41 Okay. The Permitting Services budget, as I think Councilmembers know, is funded
42 based on fees and is a fee supported budget. So in essence the positions and the
43 expenses associated with the budget are fee-related. It's not a tax-supported budget.
44 The recommendations from the Committee are to approve the budget as presented to



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1 us with certain issues exceptions. We had conversations when we had Park and
2 Planning here as well and we had conversation within the Committee about the two
3 pieces of what is the Hanson Software, that's a brand name, but in essence is the land
4 management software that allows both the Department of Permitting Services and Park
5 and Planning to look at and share the data that they both must use. At this point in time,
6 as I understand, the data entered by Permitting Services and used by Park and
7 Planning is not real time available and accessible for Park and Planning. So they have
8 to, my non-technical language would be to kind of download it and then transfer it and
9 then they can use it rather than enter their stuff directly. Is that right or am I wrong?

10
11 Tom Laycock,

12 Thank you. We do a variety of interfaces now which you stated was partially correct.
13 Yes, we do have access from our system directly to their source so the folks can see
14 what is in the Park and Planning for site plan, preliminary plan and such real time, we
15 can see that. We also have similar access for Park and Planning to see our system real
16 time exactly the same manner. We have done that for many, many years and we also
17 transfer data each night using routines that Park and Planning developed to excerpt
18 data, take it offsite and automatically give it to Park and Planning electronically. It's
19 downloaded and then they upload it in their system. So he challenges at this point to
20 expedite that and make that more of a real time interface and we look forward to doing
21 that. We both have a meeting next Thursday.

22
23 Council President Praisner,
24 Oh good.

25
26 Tom Laycock,

27 To begin that discussion on improving that interface and then begin giving it in real time
28 to each system.

29
30 Council President Praisner,

31 And the upgrades that are needed are both upgrades that are associated with the
32 systems that we have now, but they're also upgrades that will be needed as the system
33 that exists now for both entities moves out of the generation, moves out of support by
34 the corporate entity that created the software, so that's the additional issue associated
35 with the Hanson System. We are putting a miscellaneous provision in the text that
36 makes sure that any funds associated with upgrading are first, before that happens that
37 there is a kind of agreement that we would like to see as far as integration of data so
38 that both agencies can use it in real time so to speak. We've also approved the increase
39 in annual fee for enforcement of special exceptions to improve the cost recovery
40 associated with that and the resolution will be acted on May 16th. We also had some
41 discussion about the change in fund balance policies that you see here that deal with
42 the way in which we present fund balance. The Permitting Services fund is shown this
43 year in the budget as an unrestricted net asset rather than a cash fund balance and to
44 try to understand the implications of that as a percentage of resources means it's shown



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1 as a negative in that context now and that raised some concerns for the Committee so
2 we asked that the fund balance policies be revised so they reflect the old way as well
3 and that we have a fund balance discussion and also that that fund balance discussion
4 be conveyed much as we have done with fund balance policies reviewed by
5 Committees, have it reconveyed to the Management and Fiscal Policy Committee,
6 Madam Chair, so that the issue of using unrestricted assets, net assets as a policy be
7 considered in a global way before we go forward with only that document showing. The
8 projections as far as revenue shortfalls in the operations of the funds is, the way it's
9 shown, shows some kind of a, would show a negative and that becomes a concern
10 because there is substantial cash on hand but we are also concerned about revenue
11 trends that will necessitate either further fee increases or expenditure reductions. That's
12 a piece of the conversation we've had with the funds associated with development
13 review that are in Park and Planning Commission as well and part of the reason why we
14 have the budgetary calculation issue come up because we wanted to keep it fee driven
15 at this point in the process. The one recommendation was the operating expenses
16 associated with the Ombudsman Position, we weren't, the Committee did not
17 recommend continuing that dollar amount of the 20,000 in new operating expenses
18 because we believed that those issues would not necessitate ongoing costs on a long
19 time basis as well as issues that may, coordination issues should resolve themselves
20 so, hopefully, or they should if we have to continue to have operating expenses
21 associated for this temporary position then we have permanent problems and I don't
22 think we want to say that we do and don't believe that we do. So the Committee's
23 recommendations are before us and Council Vice-President Knapp.

24
25 Councilmember Knapp,
26 Thank --.

27
28 Council President Praisner,
29 Excuse me.

30
31 Councilmember Knapp,
32 Thank you Madam President. I had, I wanted to comment on the Clarksburg piece but I
33 had actually two questions before that. On page 4 it talks about the revenues declining
34 for the second of two years and I just wanted to get a sense from DPS as to why do you
35 think that the revenues, why are you seeing that continued decline, what's that a result
36 of?

37
38 Reggie Jetter,
39 The, two things, one, the market has been declining and the number of site plans being
40 approved by Park and Planning has also declined so those factors.

41
42 Councilmember Knapp,
43 So, we're just not building houses. Okay. We'll figure that out. The next is on page 5, I
44 guess I was a little struck as I was reading that based on, as fees have increased that



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1 there's a question as to how these have been received and, by the industry in general
2 but I guess based on conversations which seems pretty anecdotal, it kind of led me to
3 question, how do we actually survey our feedback from our clients in general through
4 DPS and how do we get that kind of information as to how we know how you're doing
5 because you're one of the entities that actually does interact very directly with folks and
6 I was, actually I've been impressed the number of times I've been over at kind of how
7 you're structured and how, kind of the intake process works and just kind of watching,
8 it's a very professional organization. But how do you generally get feedback from clients
9 as to how things are going and how they, how you make changes to better meet their
10 needs and demands.

11
12 Reggie Jetter,

13 We have several ways. In our lobby, if you come to our lobby and you go through the
14 fast track process or you talk to anyone as a walk-in customer, we have feedback cards
15 that are at the counter that you can actually use to fill out and give us immediate
16 feedback about the service you received that day. We also have for investigations of
17 complaints, a system where we call the complainants and get feedback regarding the
18 service that we provided, not necessarily that we resolved the complaint to their
19 satisfaction but that our process was clear and they understood it and they understood
20 what the outcome was and that it was timely. Those are two of the sort of formalized
21 ones that we get. Of course we always, when we meet with the building industry and
22 environmental groups.

23
24 Councilmember Knapp,

25 Sure, you're going to get -- individual feedback. So, you don't, so, basically the
26 process is, as people come in and they have their specific interaction, they respond at
27 that point. You don't necessarily do a broader survey at the end of any year?

28
29 Reggie Jetter,

30 We have in the past but we haven't done one in I would say the last couple of years. We
31 had a formal one done.

32
33 Councilmember Knapp,

34 Okay.

35
36 Reggie Jetter,

37 I think it was 2000-2001 where we had a consultant actually do it.

38
39 Councilmember Knapp,

40 Okay. I, just I think it's especially important to continue to see how we're doing with our
41 clients and so I'd urge you to think about other ways that we can look at that. It's good
42 to do the stuff that's right there but oftentimes people walk out the door and ponder, go
43 wow, I could have done this thing or the other thing so I think it's important to continue
44 to get that feedback. And then finally, there are the notion, there's the fact that the



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1 Clarksburg Ombudsman position – DPS is more just an accounting piece as it was
2 anything else.

3
4 Council President Praisner,
5 Yeah.

6
7 Councilmember Knapp,
8 And so I'm not --.

9
10 Council President Praisner,
11 It's the funding of it.

12
13 Councilmember Knapp,
14 Right. So, it's not a DPS issue per se.

15
16 Council President Praisner,
17 No.

18
19 Councilmember Knapp,
20 I guess my only comment would be that the issues that precipitated the need for a
21 Clarksburg Ombudsman as kind of a go between during, the resolution of many issues I
22 think are ideally coming to a close. The need to have an ongoing point of coordination
23 for a project as large as the Clarksburg Development Project which is still at its very
24 early stages, we're probably only about 10% of where we'll ultimately end up, I think still
25 will require a lot of effort to make sure that all of the pieces are interacted and moving
26 together in coordination and I appreciate the President's comments. I'm not necessarily
27 sure that I'm confident that we have overcome all of the various items that exist to
28 ensure that everyone's interacting the way they should and have very specific project
29 like that and so I think there's still going to be a need to have a central point of
30 coordination. As far as an Ombudsman position, I was never an advocate for an
31 Ombudsman position in the first place. That was our previous County Executive's
32 response.

33
34 Council President Praisner,
35 I think you and I had several conversations --.

36
37 Councilmember Knapp,
38 Right.

39
40 Council President Praisner,
41 And neither one of us --.

42
43 Councilmember Knapp,
44 Was satisfied with the outcome of that.



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1
2 Council President Praisner,

3 No. So I don't disagree with the notion of an Ombudsman position but I still think it's
4 going to be important for us to look at how do we centralize that coordination and I don't
5 know what that position looks like but I think it's something that we, I will bring up with
6 the CAO and with the County Executive because I think it's going to be important,
7 similar to how we've done in Wheaton in Silver Spring to make sure we've got that
8 focused. Well, I think the question and it's one that we talked about in the PHED
9 Committee is basically an issue of variety of things that unfortunately come together
10 with the broad public and neighborhoods and communities not fully understanding.
11 Some of it is development and you want to make sure that it happens. In a coordinated
12 basis whether it's Public Works and Transportation's public projects or private sector to
13 make sure things work smoothly, especially when there's significant amount of
14 construction in one area. What I also see happening though with the community in a
15 broader sense is that there's interest in seeing some kinds of development occur. I think
16 Councilmember Leventhal made that point the other day from a standpoint of
17 redevelopment issues or desires where folks are either introducing or going to different
18 departments to ask them to move it along.

19
20 Councilmember Knapp,
21 Sure.

22
23 Council President Praisner,
24 And departments or folks try to be responsive not necessarily having, organizing
25 government in the best way to be efficient and I think it is important for us to help
26 educate the public when they go to the wrong place as to how the --, and also to try to
27 pull people together and I see District Councilmembers having to deal with that all the
28 time.

29
30 Councilmember Knapp,
31 Sure, sure.

32
33 Council President Praisner,
34 As you know where folks want some development, they want the shopping center to
35 look different.

36
37 Councilmember Knapp,
38 Right.

39
40 Council President Praisner,
41 Not understanding that a piece of that is economic development assistance, a piece of
42 that is not at all under the control of government.

43
44 Councilmember Knapp,



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1 Right.

2
3 Council President Praisner,
4 But trying to have the public get broadly engaged in that but also have government
5 organized in a way that is efficient in responding.

6
7 Councilmember Knapp,
8 Sure, sure.

9
10 Council President Praisner,
11 Where there is a government piece, even if it's making sure that the trash is collected
12 appropriately and that folks keep their, follow the law.

13
14 Councilmember Knapp,
15 Right.

16
17 Council President Praisner,
18 It's very hard to make that come all together unless you have departments
19 understanding their role and either taking the incentive to work with the other
20 departments or having the CAO Office and the Regional Service Center Directors kind
21 of pull that together.

22
23 Councilmember Knapp,
24 I agree and I guess the only observation I would make and I appreciate DPS's role over
25 the course of the last 18 to 24 months because you folks have come together and really
26 I think gotten a lot of the coordination back on track for a place like Clarksburg but
27 effectively you still have a community that's going to go from, I think they're up to maybe
28 6000 residents now, up to ultimately 45 to 47,000. It's a big construction project.

29
30 Council President Praisner,
31 Correct.

32
33 Councilmember Knapp,
34 In many respects.

35
36 Council President Praisner,
37 And that's a bit of difference.

38
39 Councilmember Knapp,
40 It does make a difference, it does have private sector, public sector, lots of other
41 involvement that , just to have a focal point from a project management perspective, but
42 I think is still an element that it needs to be done and given the fact that it was as a
43 result of a County master plan, that we need to still take a fairly proactive role in the
44 implementation of that. Even though we may not be responsible for all the pieces, the



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1 project management element, to coordinate it and make sure that everything's
2 happening when it should or could, I think is still going to be important.

3
4 Council President Praisner,
5 Right. Absolutely. Couldn't agree more that if you don't know when you're going to need
6 the road to be paved or what your impact on a paved road, it's also like digging up a
7 road to lay wiring for cable and then two weeks later having WSSC come in and put
8 new pipes in over the brand new road, it would be nice if we coordinated it better.
9 Councilmember Floreen.

10
11 Councilmember Floreen,
12 Thank you. We may have talked about this in Committee but I was wondering if you
13 could provide us with an update on how the lead agency issue is being developed. Are
14 you familiar with that, any of you guys? Yeah.

15
16 Council President Praisner,
17 Yeah. (multiple voices) For a discussion for follow-up.

18
19 Councilmember Floreen,
20 How, is that, are meetings on that still continuing?

21
22 Reggie Jetter,
23 Yes. Yes, we have started those and we're beginning to talk about it and also our
24 Advisory Committee has asked to talk about it as well. So.

25
26 Councilmember Floreen,
27 So --.

28
29 Reggie Jetter,
30 -- and we will come back to you with some information on it.

31
32 Councilmember Floreen,
33 The, when do you think you'll be able to do that?

34
35 Reggie Jetter,
36 It will, I think we're supposed to come back around, in the fall --.

37
38 Unidentified
39 Yes.

40
41 Reggie Jetter,
42 To talk about --.

43
44 Councilmember Floreen,



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1 Not until then?

2
3 Reggie Jetter,
4 Work force issues so we could do --.

5
6 Council President Praisner,
7 Our calendar during the summer for the PHED Committee has significant items on it
8 already.

9
10 Councilmember Floreen,
11 This is a very important issue in terms of the coordination effort with Park and Planning
12 and I just wanted to reemphasize how very important I think that is. There are so many
13 functions that are shared, community expectations that are difficult to respond to without
14 a lot of engagement of different players and I really think that clarification and resolution
15 of this issue is as important as anything else that you have in terms of resolving
16 certainly X amount of the fallout from the Clarksburg issues but also some of our new
17 initiatives not to mention the road code stuff that we're working on where you may be
18 engaged and a variety of other policies so I wanted to highlight that. I also wanted to
19 ask, are you at all involved in the conversation that's supposed to be going on
20 somewhere about development districts?

21
22 Reggie Jetter,
23 We have been involved from the, I guess, impact tax perspective. I guess we, once a
24 development district has gotten to a certain point then we don't collect impact tax for
25 those building permits coming in but I'm not sure which one you're talking about --.

26
27 Councilmember Floreen,
28 Okay, well we'll take this up when this returns to us I think it's in June, is that right
29 Madam President?

30
31 Council President Praisner,
32 I think so, I'm not sure. Which piece?

33
34 Councilmember Floreen,
35 The issue that was raised by the community.

36
37 Council President Praisner,
38 Development districts. Well, let me --.

39
40 Councilmember Floreen,
41 --coming to us in June.

42
43 Council President Praisner,



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1 Actually there's a memo that's working its way to the Council about that issue and the
2 timing of it.

3
4 Councilmember Floreen,
5 We have it. Okay.

6
7 Council President Praisner,
8 From staff.

9
10 Councilmember Floreen,
11 Alrighty, well, we will be looking at that.

12
13 Council President Praisner,
14 I met with staff yesterday and they have, they will be, they are preparing a memo for the
15 Council.

16
17 Councilmember Floreen,
18 Okay, well we will keep you posted.

19
20 Council President Praisner,
21 Okay, I don't see any other lights so thank you all very much. We will now move to the
22 Inspector General. And I will turn it over to the MFP Chair again.

23
24 Councilmember Trachtenberg,
25 Thank you Madam Chair. I'm going to ask a few folks that are here this morning to join
26 us for this budget item to join us and please introduce yourself for the purposes of
27 recording.

28
29 Thomas Dagley,
30 Good morning, Tom Dagley, Inspector General.

31
32 Chris Giusti,
33 Good morning, Chris Giusti, Deputy Inspector General.

34
35 Councilmember Trachtenberg,
36 The Committee discussed a proposed budget and approved the FY08 Operating
37 Budget for the Office of Inspector General that was submitted clearly by the Executive.
38 The Committee also recommended that the FY08 budget resolution specify that the
39 projected expenditures for the Office of Inspector General for FY09 through 11, there
40 would be a 4.2% increase for each of those years and the Committee noted that this
41 projection doesn't prevent the Office of the IG from requesting larger increases in future
42 years or the Council from approving those. The only other item to note in Committee
43 discussion was that there was consensus that we needed to have increased ethics
44 training for new and current employees and the Committee actually requested that there



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1 be a follow up discussion this summer on that topic. Looking to see if there are some
2 lights and there seems to be.

3
4 Council President Praisner,
5 Yes, there are. I think that that point also relates to the Ethics Commission comments
6 about wanting to do that.

7
8 Councilmember Trachtenberg,
9 Right.

10
11 Council President Praisner,
12 And Barbara couldn't be here.

13
14 Councilmember Trachtenberg,
15 Right.

16
17 Council President Praisner,
18 When we talked about that.

19
20 Councilmember Trachtenberg,
21 Exactly.

22
23 Council President Praisner,
24 Councilmember Floreen.

25
26 Councilmember Floreen,
27 Why would we be making a commitment with respect to increases in later years?

28
29 Council President Praisner,
30 He is required by his legislation to submit a four year budget and us to accept or reject
31 what he is recommending. We've always gone through the process. It's gets modified
32 and he's on notice as we all are that it depends upon what we do each year, fiscally,
33 what we are able to do. But he is required to submit to us a four year budget.

34
35 Councilmember Floreen,
36 A dollar budget?

37
38 Council President Praisner,
39 Yes.

40
41 Councilmember Trachtenberg,
42 Yeah.

43
44 Amanda Mihill,



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1 If I may, it's also a part of the legislation.

2
3 Council President Praisner,
4 That's what I said.

5
6 Amanda Mihill,
7 That, right.

8
9 Council President Praisner,
10 As part of the law.

11
12 Amanda Mihill,
13 Right, that the Council has to approve this increase.

14
15 Councilmember Floreen,
16 So we approving the action plan or the work program at this point?

17
18 Amanda Mihill,
19 No, you're just specifying what sort of your general expectation is as far as any
20 increases in out years for budget but that doesn't prevent.

21
22 Councilmember Floreen,
23 Just dollars. So, we're not going into the--.

24
25 Amanda Mihill,
26 Just dollars, yeah, it's just dollars.

27
28 Councilmember Floreen,
29 Okay.

30
31 Council President Praisner,
32 No, we never approve the specifics of what he's working on, that allows him to have
33 complete flexibility of working on whatever items and he doesn't get into detail with us
34 and we don't accept or reject what his plans are.

35
36 Councilmember Trachtenberg,
37 I don't see --.

38
39 Council President Praisner,
40 Okay, no other lights.

41
42 Councilmember Trachtenberg,
43 Well.



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1 Council President Praisner,
2 Oh Phil.

3
4 Councilmember Andrews,
5 I just wanted to note that the Inspector General, as Councilmembers are aware of,
6 released a report not long ago about overtime that is getting rightly a lot of attention and
7 that I think will shape some of our discussions here and has already resulted in some
8 changes being made in the Fire and Rescue Service, many others to follow, so it
9 underscores the importance of the office, especially in a county with budgets that we
10 consider \$4 billion to have this function and to have an independent watchdog and I
11 think that was a helpful report. Appreciate your good work.

12
13 Council President Praisner,
14 Okay, nothing else? Committee Chair.

15
16 Councilmember Trachtenberg,
17 Actually I thank Councilmember Andrews for his comments and I would ditto the
18 sentiment of that but also would suggest that we're really looking forward to the MFP
19 Committee working with both of you this summer on the Ethics Commission issues and
20 of course look forward to working with you on other reports that I'm sure will get done
21 over the years.

22
23 Council President Praisner,
24 Anything Tom you want to comment on and you should, probably should introduce
25 yourself and, did they, I'm sorry. Okay, alright.

26
27 Thomas Dagley,
28 Chris Giusti is our new Deputy Inspector General as of six months ago and working on
29 the overtime audit. The overtime audit was on our four year work plan that I issued
30 about 18 months ago and even though it is, goes back to August of 05, we're pretty
31 much on track. It continues to serve as a useful tool to us. There have been some minor
32 modifications but for the most part it remains intact.

33
34 Council President Praisner,
35 Thank you very much, thank you very much. The Inspector General has done a very
36 good job for the County, thank you.

37
38 Councilmember Trachtenberg,
39 Ditto to that.

40
41 Council President Praisner,
42 Ditto to that too.

43
44 Councilmember Trachtenberg,



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1 (laughter) Thanks very much.

2
3 Council President Praisner,
4 And we now have the Office of Legislative Oversight and in conjunction with that also
5 approval of the Independent Audit.

6
7 Councilmember Trachtenberg,
8 Okay.

9
10 Council President Praisner,
11 Madam Chair.

12
13 Councilmember Trachtenberg,
14 The discussion within the Committee, there was, after that there was a full
15 recommendation for the Office of Legislative Oversight's budget and there was some
16 discussion of course on the Non-Departmental Account and the Independent Financial
17 Audit and one item in the Operating Budget is the allocation of \$342,000 for the
18 Independent Financial Audit and this amount reflects the contract amounts that have
19 been negotiated with two audit firms and approved by the full Council and allows for a
20 contingency fund as well.

21
22 Council President Praisner,
23 Any questions or comments? Karen, did you want to.

24
25 Karen Orlansky,
26 Karen Orlansky, Director Office of Legislative Oversight.

27
28 Craig Howard,
29 Craig Howard, Office of Legislative Oversight.

30
31 Karen Orlansky,
32 And Craig manages the audit contract for the office. It's been a busy year and –.

33
34 Council President Praisner,
35 Looking forward to more reports.

36
37 Karen Orlansky,
38 Thank you. As we roll out of budget season, we'll be working on our work program for
39 08 and going through the process of meeting with Councilmembers, soliciting projects, I
40 think we already have a date in the MFP Committee for July 11th so you'll be seeing us
41 in June.

42
43 Councilmember Trachtenberg,



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1 Okay. Well thank you for coming this morning and again we'll move on to the last item
2 for the morning which is a discussion of the budget for the Council Office. Which I was
3 not present for in Committee.

4
5 Council President Praisner,

6 No. You want me to take that, Councilmember Berliner and I were present, as you said
7 you were unavoidably absent and the Council's budget is approved at \$8,895,420. This
8 is the increase which helps us, slight increase which helps us to continue the approach
9 and completes the transition to the revised staffing that allows Council offices to move
10 finally, fully, from what was established back in 1983. I feel like I finally have
11 accomplished something by getting us beyond that model which obviously doesn't work
12 with the workload that Councilmembers have and the needs for staff. So that is the
13 Committee's recommendation. Mr. Farber did you have anything you wanted to
14 comment on?

15
16 Steve Farber,

17 No, I think you've summarized it well, this is the end of the three year transition, we are
18 moved up and we've benefited also from Mr. Knapp's suggestion to create a legislative
19 senior aide series and that I think is working very well.

20
21 Council President Praisner,
22 Councilmember Knapp had a question.

23
24 Councilmember Knapp,

25 I would just, as we look at our contract services over the course of the year to explore
26 the ability to use some of that for some web design activity. I know that as Neil has
27 started with, we're looking at how we're portraying information and making it more user
28 friendly, that that's certainly going to be one of the key ways to do that and we should
29 look at some of our contract dollars trying to go in that type of direction.

30
31 Council President Praisner,
32 Councilmember Floreen.

33
34 Councilmember Floreen,

35 Thank you. This isn't related to the Operating Budget so much as the question of do we
36 have money somewhere for planning and design of this building?

37
38 Council President Praisner,
39 Yes. That's actually something--.

40
41 Councilmember Floreen,
42 Where is that?

43
44 Steve Farber,



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1 It's in the general government.

2
3 Councilmember Floreen,
4 General government.

5
6 Council President Praisner,
7 And maybe Councilmember Trachtenberg might want to comment or Mr. Farber, but
8 yes we are in the process of looking at a series of options and we have the third floor
9 modernization issue but we have broader issues that the Council Vice-President and I
10 have been involved in.

11
12 Councilmember Floreen,
13 What's the schedule for us having a full conversation about that?

14
15 Council President Praisner,
16 Once we have something that staff is working on we will be bringing it to the full Council.

17
18 Councilmember Floreen,
19 In the next couple of months?

20
21 Councilmember Trachtenberg,
22 Yes.

23
24 Council President Praisner,
25 Yeah.

26
27 Unidentified
28 At least.

29
30 Council President Praisner,
31 Yeah. It may have to wait for our retreat by the time they have the information or it might
32 be sooner than that.

33
34 Councilmember Trachtenberg,
35 And actually one of the things that I, I was not at the work session on this topic and one
36 of the things I wanted to raise really was environmental factors and the idea that I would
37 want to make sure that as we plan any kind of new situation that that be taken into
38 account on a very high level because one of the issues that I have with this building is,
39 now that we're in the spring season, my sinus problems are really starting to kick in in a
40 very significant way especially when I'm on floor three in this building and that has a lot
41 to do with the air quality down there and the mold problems that we have and clearly
42 we're not going to be able to make the investment in this building but I would hope as
43 we plan anything -- .
44



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1 Council President Praisner,
2 Actually we are.

3
4 Councilmember Knapp,
5 Don't rule that out.

6
7 Councilmember Trachtenberg,
8 Well, I'm not sure how much you can do, you know, having done certain things --.

9
10 Council President Praisner,
11 Well that's true.

12
13 Councilmember Trachtenberg,
14 My house.

15
16 Councilmember Floreen,
17 So these conversations are--.

18
19 Council President Praisner,
20 Yeah, it sounds like--.

21
22 Councilmember Trachtenberg,
23 I want that on there because I really feel like that -- .

24
25 Councilmember Floreen,
26 I would really like to get us into a more formal planning schedule that gets this issue
27 resolved. Whatever we do will have to be a silver building.

28
29 Council President Praisner,
30 Yeah. Well, that's what we're in the process, we've asked, well, that's true as far as the
31 construction standards. Some of the issues that Councilmember Trachtenberg raises
32 are related to the existing building issues. We do have the ongoing plans for the third
33 floor hearing room and conference room that relate to accessibility issues and also
34 relate to supporting visitors in a better way but we have broader questions that the
35 Council Vice-President and I have met with County staff and we hope to be able to bring
36 you a proposal but we need to do this after they have generated the information that will
37 help us with this, these issues.

38
39 Councilmember Floreen,
40 Well, whatever it is, if you could please keep the rest of us posted?

41
42 Council President Praisner,
43 Well we will.



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1 Councilmember Floreen,
2 I certainly would want to be engaged in any --.
3
4 Councilmember Trachtenberg,
5 Sure.
6
7 Councilmember Floreen,
8 A list of requirements and expectations for such an effort.
9
10 Council President Praisner,
11 We have not gotten to that point as yet. Councilmember Andrews.
12
13 Councilmember Andrews,
14 Thank you. Yeah, the building needs a lot of improvements and wheelchair access is
15 certainly one of them.
16
17 Council President Praisner,
18 Absolutely.
19
20 Councilmember Andrews,
21 It's a significant issue.
22
23 Council President Praisner,
24 And we just talked about with Board of Elections, knowing where your way is and all the
25 doors et cetera. We are in recess until 1:30 and the first item at 1:30 in order
26 accommodate the CAO and others from the Executive Branch is item number 28.
27 Again, item 31 has been deleted from this afternoon. Okay thank you.
28
29 CouncilmemberFloreen,
30 Oh it has?
31
32 Council President Praisner,
33 Yes.

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TRANSCRIPT
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MONTGOMERY COUNTY COUNCIL

Councilmember Marilyn Praisner, President
Councilmember Phil Andrews
Councilmember George Leventhal

Councilmember Michael Knapp, Vice-President
Councilmember Nancy Floreen
Councilmember Duchy Trachtenberg



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1 Council President Praisner,
2 -- the Councilmembers present. Start at the request of the Executive Branch with item
3 number 28 which is the CIP Amendment and Technology Modernization. And I will turn
4 it over to the Chair of the Management and Fiscal Policy Committee. We have also
5 Costis Torgas here as our staff person and before we begin I would ask folks to
6 introduce themselves. What a group for a Friday afternoon.

7
8 Unidentified,
9 After lunch.

10
11 Council President Praisner,
12 After lunch.

13
14 Jennifer Barrett,
15 I want to start off. I'm Jennifer Barrett, Director of Finance. I want to start off saying Mr.
16 Firestone wanted to be here -- because he is a sponsor and lead in this project but we
17 have the MDP graduation, he's making the opening remarks and he had to be there.
18 And several of us will be leaving to join him.

19
20 Council President Praisner,
21 Sure.

22
23 Jennifer Bryant,
24 With that graduation ceremony.

25
26 Council President Praisner,
27 And I want to indicate to the Council we're going to try and end this in adequate time so
28 Councilmembers can join the police department and others for, at the memorial this
29 afternoon. David?

30
31 David Dise,
32 David Dise, Director, Office of Procurement.

33
34 Joe Beach,
35 Joe Beach, Director, Office of Management and Budget.

36
37 Mike Knuppel,
38 Good afternoon, I'm Mike Knuppel, I'm the Acting Chief Information Officer.

39
40 Councilmember Trachtenberg,
41 Okay. The Committee recommendation on the technology modernization was to,
42 approve the FY08 request. At the time, the discussion in the Committee was, discussion
43 between Council President Praisner and myself, there is a good summary of what was
44 discussed within Committee on the packet first page and basically --.



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Councilmember Floreen,
We doing 24 or 25?

Councilmember Trachtenberg,
28. We're starting with 28. (laughter) Technology Modernization, number 28. And you know, clearly the consensus was that this was a wise investment, allocation of funds, for the Modernization and I wonder, you know, if maybe we could have some comments it's about the scope of the project itself, Jennifer, and then maybe we've got some questions or remarks from colleagues.

Jennifer Barrett,
Okay. Sure. Mr. Firestine did ask me to convey to you his sponsorship of this project. I think in the packet there is an organizational chart that shows that the CAO is a sponsor, and the head of the Steering Committee that's going to be overseeing this project, the project is located in the County Executive's office as part of the CIP organization. We want to make clear that that is his organizational approach to this project and that he's the main supporter. Also he asked me to emphasize, he did a lot of research on this himself last year because of his interest in the need for this project. And although we've mentioned in the PDF and in other places, that part of the need for this project is our high-risk for possible failure, financial systems in the County, that we need to do something about our famous AD PICS programs, but that the main thing he is after is organizational change in business processes and reviewing all the business processes in the organization, looking for opportunities and best practices in terms of how to do things better. And then looking for a softer solution that supports that best practice and that that's the approach he is asking this team of folks to take in going forward with this project. So, that's just the main emphasis that I wanted to convey from Tim to you all today.

Council President Praisner,
Any other comments Costis or others want to make or questions Councilmembers have? Councilmember, Vice-President Knapp.

Councilmember Knapp,
Thank you Madame President. When we started, I know this conversation has been going on for a while, quite a while.

Council President Praisner
-- several years.

Councilmember Knapp,
But in particular we started the discussion with the school system that they were working on parallel paths and kind of the line of demarcation then became the requirements document where they were a little further along in putting some of those



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1 pieces together and we can debate where that went, but let's move beyond that. But
2 where do we stand now? We obviously have nothing in the current CIP for FY07. But
3 we have done work. And so, where do we stand as far as kind of our jumping off point
4 and how, what are our next major milestones out there over the course of the next 6 to
5 12 months that we should be looking for?

6
7 Jennifer Barrett,

8 Just for a high level of review, Ms. Praisner in the use of one time revenues back in
9 FY06 allocated or supported the allocation, which the Council approved of \$200,000 in
10 the finance budget --.

11
12 Councilmember Knapp,
13 Right.

14
15 Jennifer Barrett,

16 That we have encumbered for consulting support with the same consultant that was
17 working with the school system and they had a very good experience with. In the FY07
18 Operating Budget, the Council appropriated \$2 million in DTS' Operating Budget which
19 included some initial positions and operating expenses for consultants support to move
20 forward with the project. As you know, it was with the change in administration in
21 December that we have the big, a push to move forward with this. The organizational
22 aspects of it became very clear. We've moved forward, we've hired the first position, I've
23 got interviews in the next couple weeks with the Technical Project Manager Lead.
24 We've got work towards hiring the Functional Project Manager. And so, and we have a
25 visioning session next Friday with our consultant to be going over what it is we're trying
26 to achieve here, make sure we're on the same page. And the consultant is going to lead
27 us through that process with the business requirements being the first step. We have
28 had staff, Karen Hawkins my Chief Operating Officer, has been working closely with the
29 school system, attending some of their sessions, working with them and just being
30 aware of their experience in the project and they have a very good working relationship.
31 So, we're trying to stay keyed in somewhat with the school system although theirs did
32 focus on financials but we're trying to learn from their experiences as well. We've also
33 had, already, two, at least Steering Committee meetings and I think we have another
34 one next week with its reformulated groups. And then, as I mentioned I think at the MFP
35 Committee, quite a number of people, including all four of the Directors, or acting
36 Directors at the table attended training in Cleveland a few weeks ago with GFOA to get
37 a 2-day course on ERP system implementation.

38
39 Councilmember Knapp,

40 At least we know it's not a boondoggle. (laughter) Two days in Cleveland together, way
41 to go.

42
43 Council President Praisner,

44 There is the Rock and Roll Hall of Fame remember.



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Jennifer Barrett,

And oh by the way, I was born there. (laughter) But, it wasn't an expensive location, thank you.

Council President Praisner,
It's where GFOA –.

Jennifer Barrett,

That's where they were offering it. That's exactly right. As you can see there's a lot of enthusiasm, support, you've got high level leadership and commitment to this project. And so, although that is maybe not as much as I'd like to report in terms of progress, that is where we are. We are moving quickly and Mr. Firestine is pushing us quite faster than we can roll our wheels but we're trying.

Councilmember Knapp,

And at the end of the day, because I think it's an important distinction, MCPS did focus on the financial piece and its procurement elements and those types of elements and so it's really a sliver of what you're talking about, but when you see, I mean, this will touch all departments throughout County government by the time we're done.

Jennifer Barrett,

It will. That's in the coordination block we mentioned because it will affect all departments and maybe even some of the agencies in terms of some of the financial coordination that we do with them with financial reporting, et cetera.

Councilmember Knapp,

And I know we'll have broad conversations with MFP as we move forward but I guess just from a time perspective, you've got within the CIP estimates over the, for the next five years being, have we seen or do we know of instances where there are other jurisdictions that have successfully implemented such a model and what has been the most aggressive timeframe that they have pursued?

Jennifer Barrett,

I don't know off the top of my head. I think what I'd suggest, because Mr. Firestine and I know that he talked about the Commonwealth of Pennsylvania and the system that they put in that affected all aspects of government and he did some research into --. I think it might be appropriate for us to come back after we've done some of this initial work because I know that's a very valuable lessons to be learned.

Councilmember Knapp,
Right.

Jennifer Barrett,



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1 And some perfect questions to ask and I think we should come back to it at some point -
2 -.

3
4 Councilmember Knapp,
5 Right. Because the biggest thing is how do we, I mean, and I know the Council
6 President has long felt this as have I, that to keep kind of, you could take one of these
7 and drag it out for 5 to 10 years and I think that could challenge --.

8
9 Jennifer Barrett,
10 Very clear we're not going to do that.

11
12 Councilmember Knapp,
13 We want to do it in the next, I mean, I would see three as the outer window and sooner
14 if possible.

15
16 Councilmember Trachtenberg,
17 Well, during the worksession discussion, you know, we did, identify the need to have
18 regular dialogue about the plan that was being developed and perhaps one of the things
19 we want to consider here is that the first presentation of a plan be actually provided to
20 the entire Council.

21
22 Councilmember Knapp,
23 That'd be great.

24
25 Councilmember Trachtenberg,
26 Not just the MFP Committee. And then that way there'll be an ability to influence, you
27 know, some of what is getting planned, but more importantly, everybody is included so
28 there's an understanding of how we do this and clearly we're going to have to do it in
29 stages.

30
31 Jennifer Barrett,
32 And I'm sorry, I forget to mention, Ms. Praisner asked specifically for some Council staff
33 involvement. I did check with Mr. Firestine on it.

34
35 Councilmember Knapp,
36 Yes.

37
38 Jennifer Barrett,
39 They'll be at this work group level and that would be, we talked and that would be the
40 appropriate place.

41
42 Councilmember Trachtenberg,
43 Okay.



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1 Jennifer Barrett,

2 And maybe Mr. Toregas if he would like to join us, but whoever you think is appropriate
3 to join us at the work group level as we move through this project. Yes.

4
5 Councilmember Knapp,

6 I think it's exciting and it's interesting because technology tends to be something that
7 people have put over here on the side and the technology people think about it or it has
8 to do with kind of financial elements. And the reality is, if we do this, this is going to
9 touch everything and is going to allow--.

10
11 Jennifer Barrett,

12 The business --.

13
14 Councilmember Knapp,

15 Ms. Praisner talked this morning about, you know, how we look at the budget
16 documents, how we ask different questions of budgets, how we understand
17 programmatic efficiencies affecting us, all of those things. If we've done this the right
18 way, this should enable all of us to do this and understand much better and our
19 residents to understand much better where we stand as far as the delivery of services to
20 them, hopefully.

21
22 Council President Praisner,

23 I likened this project to the Council's involvement and engagement in the 800 megahertz
24 program from a standpoint of the significant contract that that was and having some
25 confidence level not only in the concepts of the program of requirements to use a
26 phrase we heard this morning, but also, as to what the outcomes we want. And, part of
27 the problems that we've seen with failures, and you can pick up Governing Magazine
28 every day or the technology magazines every day and find somebody, some
29 government, somewhere at the state, county, or city level that has had a meltdown or a
30 failure associated with this. And it has big dollars associated with it. You only do this,
31 once in a significant amount of years. And we need to make sure that we're thinking, not
32 only about the questions and the lack of opportunity that we have now that we want to
33 be able to respond to in this new structure, but you also want to know where things are
34 going so that you have the capacity, if you change the questions you ask, or expand on
35 them, that you have some ability to reasonably expect that modifications can be made
36 or that the information can be provided. Whether it's program budgeting or work years
37 or audits of over time or whatever it might be. There's a lot of information that right now
38 is not easily available, retrievable, or useable for management in budget, for finance, for
39 procurement, for managers in offices and for the Council. So, there are business
40 functions and budget functions that are necessary, but, the problem we had even with
41 the oversight on the 800 megahertz is that the engagements of users afterwards
42 changed the expectations and in fact increased costs. And so the question is not only
43 what you ask it to do, but are the right people providing input as to what that should be?
44 That's why I ask that the Council have a representative on this group and also that we



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1 will schedule through the MFP Committee, the kind of monitoring or oversight or review,
2 whatever word you want to use, for the Council in this just as we had some discussion
3 earlier on the joint project we thought we were going to be in.

4
5 Jennifer Barrett,
6 Ms. Praisner if I could just --.

7
8 Council President Praisner,
9 Sure.

10
11 Jennifer Barrett,
12 Touch on a couple things. I think it's circle 2 of your packet has a picture of the -- chart.
13 And the Change Management Team shown over to the right-hand side is intended to
14 address that change in the impact on all the departments and meeting user needs and
15 user requirements. I have to confess, while I was over back in my office between this
16 morning's session and this afternoon I actually was pulling budget books off my
17 bookshelves back to 1982. And you're right that there's a need to be able to get that
18 data in a more accessible way. Second I wanted to note that my esteemed colleague to
19 my right is very enthusiastic on this project. He has some experience in procuring it and
20 he is leading us in the --. (multiple speakers) He's getting a t-shirt or two out of this. And
21 when he was hired and interviewed by Mr. Firestine, Tim was taking into account that
22 this was a high priority of the administration in looking for those skills and Steve
23 Emmanuel who as DTS Director has not joined us but I know that Tim was looking for
24 the same skills with him. So he's assembling a team to take control of the project. He's
25 putting in place the right organizational components. We're very much looking forward
26 to working with you and incorporating your comments into our work as we move
27 forward.

28
29 Councilmember Knapp,
30 I guess I would just, I was a little dubious of MCPS' process, but to watch how it actually
31 rolled it out, I went to a couple of the rollout sessions. I've been very impressed on how
32 they have specially trained their employees. How they have brought people in to do
33 some of the change management, take leads on that and really incorporate that
34 feedback but really get people comfortable as to what they're trying to do. And so, there
35 are some lessons learned there I think from the MCPS side that we should avail
36 ourselves of as well.

37
38 Council President Praisner,
39 Okay, I see no lights so that, unless you have other comments, no? Okay then that item
40 is approved. And we'll move to the Department of Technology Services item circle --.

41
42 Unidentified
43 Item number 24.



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1 Council President Praisner,
2 Item number 24.

3
4 Councilmember Trachtenberg,
5 Uh-huh.

6
7 Council President Praisner,
8 And we'll invite Mr. Knuppel to stay. And representatives from OMB if you all could join
9 us at the table, introduce yourselves. Mike, again, please. And anyone from DTS you
10 want to join you. Okay. And Barbara. Folks you want to start and just go down the line
11 and introduce yourself and then I'll turn it over to the Committee Chair. Eric, you want to
12 start or Dieter you want or--.

13
14 Dieter Klinger,
15 Sure. Hi. I'm Dieter Klinger. Chief of Enterprise Services.

16
17 Barbara Garrard,
18 Barbara Garrard. Chief of Enterprise Infrastructure.

19
20 Alex Espinoza,
21 Alex Espinoza, I'm with OMB.

22
23 Mike Knuppel,
24 Mike Knuppel, Acting CIO until midnight tonight.

25
26 Council President Praisner,
27 (laughter) And you've done a great job. 12:01 you hope. Relax a little.

28
29 Jennifer Bryant,
30 Jennifer Bryant. OMB.

31
32 Councilmember Trachtenberg,
33 Thank you for being here this afternoon. The MFP Committee, recommends for the
34 most part, the proposal by the Executive, but we did decide that we could reduce the
35 \$32 million by \$161,000 by removing some CRIMS staff support and funds needed for
36 the maintenance and I would note that the recommendation for reduced CRIMS support
37 would still allow DTS to provide a database administrator and a system administrator for
38 CRIMS but will defer decisions on other resources for writing and training and the
39 reduction in maintenance will still provide for six months of support which should be
40 adequate given the project schedule. There was also in Committee, a discussion about
41 the Senior IT Specialist position. We recommended that that actually be shifted from
42 DTS to the State's Attorney's Office. And in a nut shell, that's what we decided and
43 agreed to. Are there any comments, questions, any other --? Any comments you want
44 to make beyond that you're counting the minutes and seconds?



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1
2 Councilmember Trachtenberg,
3 Counting the seconds.

4
5 Councilmember Trachtenberg,
6 Okay, well with that, we're approving-- .

7
8 Council President Praisner,
9 The Committee's recommendations are approved. Thank you. Now move to item
10 number 25. The NDA Interagency Technology Policy and Coordination Committee.

11
12 Councilmember Trachtenberg,
13 Okay. And again, the Committee recommended approval of this \$30,000 budget item
14 and I, again, we'll just state that we saw it as a good way to keep communication
15 flowing.

16
17 Council President Praisner,
18 Gary is there anything you want to say? Okay, the only point that I would make is that
19 the principals have told us that as the Committee Chair said, that coming together is the
20 Interagency Policy and Coordination Committee with subcommittees of staff across
21 agencies that it's turned out to be an excellent opportunity for the Chief Administrative
22 Officer, the Superintendent of Schools, the President of the College, Planning Board
23 Chair, General Manager for WSSC, and the Council Staff Director to come together to
24 go beyond the original intent when the Council created this structure to talk about things
25 where there's a need for coordination and possibility of opportunities of efficiency and
26 policy to look beyond the issues. Their work plan is identified in the document and
27 whether it's security issues or technology financing or any of the other things we've
28 talked about, there's a lot that's going on in this area. Council Vice-President Knapp.

29
30 Councilmember Knapp,
31 Thank you Madame President. This may not be the, it may be interagency, it may be
32 DTS, we've had some conversations within the Public Safety Committee, especially as it
33 relates to grant funding of different items, in particular, mobile data units for police cars
34 to other types of technology acquisitions where it becomes clear that we still have
35 different pieces of our technology and how we modernize it and how we replace it and
36 just, we don't have a good handle, at least not from this side of the table yet, as to what
37 we actually have nor what the -- replacement schedules are and every time, I mean I've
38 only been here for four years, but every time I think I kind of have a handle on it, we end
39 up with some other request or some other requirement that says oh, but this one wasn't
40 counted in that other category. And so I don't know, perhaps this is for Costis to address
41 is to begin to look at -- .

42
43 Council President Praisner,



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1 From a computer perspective we can talk about it when Dieter talks about the Desktop
2 Computer Modernization because we've also talked about not just computers but
3 servers and other things.

4
5 Councilmember Knapp,
6 Right, and that may be it, I'm just not sure definitionally where it fits, but it really does cut
7 across agencies because we're going to fund all those activities and it will be good to at
8 least have a sense of everyone's various schedules, what's defined in those various
9 schedules to know where there are differences and where there are similarities so we at
10 least have an awareness of when to expect kind of big things that we weren't expecting.

11
12 Council President Praisner,
13 I think when we get to the next item actually, Dieter might help by presenting where we
14 are looking at computers, but we've said this is only the first thing from a County
15 government perspective, but also you know, there're servers and printers and other
16 things that go beyond that. I don't know, Madame Chair, you might want to, since there
17 don't appear to be questions on the Coordinating Committee to move to the Desktop
18 Computer Modernization and let Dieter make whatever comments he wants to and you
19 can answer that question --.

20
21 Councilmember Trachtenberg,
22 Yeah, I actually, okay, that sounds like a good place to go. The only thing I would note
23 for Council Vice President is that we had asked to have a further discussion about this
24 kind of implementation plan in June, you know after the budget season.

25
26 Councilmember Knapp,
27 Wasn't seen as budget issue per se, (multiple voices) It is but it's not necessarily a
28 budget item for this budget.

29
30 Councilmember Trachtenberg,
31 No, but it's certainly something that we have to look at.

32
33 Council President Praisner,
34 And the risk assessment and all of that fits into it. Mr. Toregas do you want to put your
35 mic on?

36
37 Dr. Costis Toregas,
38 Just very briefly, in the packet that you approved already for DTS on page 2, there's a
39 description of 3 sessions for the summer, including one that would organize all the stuff
40 that we buy for a particular individual and how they relate to one another, the life cycle
41 and so on. So, there are plans to be a lot of work in the summer months on this topic
42 exactly.

43
44 Council President Praisner,



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1 The other problem we've had in the past is some departments have bought equipment
2 with funds that they wind up, rather than going through the DTS process and therefore
3 trying to get a handle on how many radios or laptops or other things folks have has
4 been a challenge for DTS but I think we've reinforced the expectation of where that
5 decision, its type of system and where that inventory issue, at least needs to be
6 controlled. Councilmember Andrews?

7
8 Councilmember Andrews,

9 Thank you. I just wanted to say a thought to Dr. Toregas' discussion on the technology
10 trends in the packet on the department was very interesting. Appreciate it.

11
12 Council President Praisner,
13 Dieter? You want to comment?

14
15 Dieter Klinger,

16 Just a comment that – has been a very successful program and we do try to use that,
17 leverage what we've learned in that program in other programs we have had and we've
18 had discussions with Costis on other both software and hardware and as it relates to
19 public safety and non-public safety systems. And we do look forward this summer to
20 working together and coming up with a more comprehensive overview of what we have.
21 We've made a lot of progress in the last couple years in inventory but there's always
22 more ways to, to expand that and not saying that we're adding stuff to it, but just
23 defining it and we find it difficult, when you look at, a PC is a PC and the mobile
24 computer in the police cars is a mobile computer and you can one to one replacement,
25 but when you talk about systems, where does a financial system start and where does
26 the accounting system, you know, begin and where does the server, it's not just
27 hardwired systems and in defining the life cycles they're various, they change between,
28 so, I know the IT PCC Committees have done a lot of work on trying to do that. And
29 we've supported that and provided input to that. And we will continue to work towards
30 that. But it's not going to be, it will evolve over time as we had, during the Committee
31 sessions, talked about what we define now is going to be different 18 months from now
32 because the technology is changing and the way that you define the system will be
33 different. So, you'll have to, something we have to continue to work ongoing, it's not
34 going to be a one-time snapshot and then you just keep plugging away year-by-year
35 after.

36
37 CouncilmemberKnapp,

38 No, and I agree and I think that's kind of the frustration is let's get to the right snapshot
39 and know that, and get the right procedures in place so as people add things on they
40 know that one of their first stops is to go say we're doing this and so at least put it on the
41 list. It may be a 6 year asset replacement or it may be a 2 year asset replacement,
42 whatever it is, at least we know we've captured it and then we can have the next
43 conversation. Whereas right now it's still kind of an ad hoc approach. But I appreciate
44 your efforts in the progress that's been made.



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Council President Praisner,

It's more than going to them and telling them what the department's going to do. That's not acceptable. This Department Technology needs to sign off. No department should be buying technical equipment on their own, independently, and that's the problem we've had in the past. Folks have been buying it and then DTS finds out about it, and yet there's an expectation that they're supposed to manage it and they may not have even bought the right thing. So we've pretty much reinforced, and I think the CAO and folks in the interagency, from an interagency perspective, where other agencies are even more centralized, that you can do certain things decentralized and have staff decentralized, but when it comes to the responsibility and the vulnerability of some of this equipment, the department responsible for it is the agency making the decision as to whether the equipment is a yes or a no before it's bought or contracts are signed. So that's critical. That's where we've had part of the problem in the past. Mike, you want to comment?

Mike Knuppel,

Just a comment. That has been true in the past, but I think over the last several years, it's vastly improved. The departments work very closely with us whenever they need to buy certain equipment. We have the IT review process in place where we look at solutions that they're proposing, see how the solutions map to the enterprise architecture and make sure they fit together. So I mean, the process has greatly improved. I'm not saying it's 100% yet, but it's a lot better than it was five years ago when I first started.

Councilmember Trachtenberg,
Sounds good.

Council President Praisner,
Okay, I don't see any other lights. So the Desktop Computer Modernization is approved. We now move to the Technology Investment Fund. I know there's a correction on the first page there as well. Madame Chair.

Councilmember Trachtenberg,
Yes, there is. I have been advised that the designated reserve balance should be, \$1,943,310. It's reflected actually and I'll look here in the packet on circle 2. If you look at the estimated FY07, that number appears on the bottom and the number that we'd be using for FY08 would be the 2,268,000.

Council President Praisner,
At the end of the year.

Councilmember Trachtenberg,



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1 At the end of the year. And I would also note, you know, that in the packet, there's an
2 indication that the Council, that when the fiscal conditions allow the Council would
3 intend to make contributions to the designated reserve to support additional investments
4 in technology.

5
6 Council President Praisner,
7 And we have a long list of them.

8
9 Councilmember Trachtenberg,
10 Yes we do.

11
12 Council President Praisner,
13 And there are no lights, so let's move on to the Cable Fund and Cable Plan and invite
14 folks to the table. I do want to make a correction that's, my correction, it's amplification,
15 Amanda's packet I think neglected to incorporate the comment that I made as part of
16 the Committee. I had put my Committee, the Committee members in MFP on notice and
17 there was no objection that the \$289,200, and I don't know if that's what will be the
18 actual amount because there are some additional cable issues that need to be dealt
19 with, but we will be using or I want the latitude to use those funds within the budget
20 reconciliation process and would appreciate the Council's ability to let me do that
21 through the budget reconciliation. The goal is to find other general fund, to find general
22 fund funded items for which cable funds could be eligible to use so that, meaning their
23 technology or have some relationship with the technology systems such as the Fiber
24 Net, et cetera that we've done in the past, in order to use these funds for that and then
25 free up those general fund items for usage elsewhere, but that's a reconciliation process
26 that I'm working on and I had asked the MFP Committee for that latitude. They had
27 concurred and I would ask the Council for that latitude as well. We're not there yet, but
28 that option I would like available. So I just put everybody on notice about that as far as
29 the fund balance for cable when we get through this budget process. Turn it over to the
30 Chair.

31
32 Councilmember Trachtenberg,
33 Uh-huh, on the first page of the packet for item 29 there's a good summary of the
34 discussion within the Committee and clearly the recommendations and we're asking for
35 approval of the Cable Plan expenditures as submitted by the Executive with the
36 following changes. One would be to add \$50,000 for a facilitator to assess the current
37 organizational structure of MCT and develop a strategic plan for public access here in
38 Montgomery County. An additional \$50,000 to CCM for additional broadcast with closed
39 captioning in Spanish. \$50,000 for an additional County-wide initiative focused on youth
40 media projects and \$16,000 to increase peg equipment replacement funds and
41 additionally we recommended that transferring \$37,800 from the cable fund to the park
42 fund for partial funding for cable show productions. And if the Council funds these items,
43 the fund expenditures would increase to \$15 million and the fund balance would be
44 \$1,099,000 and a surplus of \$289,000 above the reserve amount would still be available



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1 for use in FY08. And the Committee recommended taking excess funds above the
2 reserve amount under advisement during the reconciliation process as the President
3 indicated.

4
5 Council President Praisner,
6 Yeah, the packet says that but I wanted to say it more strongly so that folks were aware
7 of that.

8
9 Councilmember Trachtenberg,
10 Mm-hmm. And I guess another thing here that's noted in the summary of discussion is
11 that the Council's Public Information Office has noted that an additional \$48,000 is
12 required to fund same level of services and to support anticipated changes in CCM's
13 program offerings.

14
15 Council President Praisner,
16 Yeah, there are a couple of items that have evolved since we had our Committee
17 discussion that I've been informed of. So, I wanted to make sure that the Council had no
18 objections to those and they would be additional modifications to the plan. The first one
19 involves the fact that with a new Council and a new Public Information Office Director
20 and an interest in more programming and I gathered the original budget request, there
21 is a need for an additional \$48,000 for County programming, Council programming
22 opportunities within cable and I don't know if Neil, you or Justina want to make, Justina,
23 you or Delphine want to make any comments but Delphine Harriston would be very
24 annoyed with me if you don't introduce yourselves first.

25
26 Neil Greenberger,
27 Neil Greenberger, I'm the Legislative Information Officer for the County Council.

28
29 Delphine Harriston,
30 Delphine Harriston with the Council staff.

31
32 Council President Praisner,
33 And I don't know, Jane if you want to make any comments at some point you might
34 want to introduce yourself now too.

35
36 Jane Lawton,
37 I'm Jane Lawton. I'm the Cable Administrator.

38
39 Amy Wilson,
40 Amy Wilson with the cable staff.

41
42 Alex Espinoza,
43 Alex Espinoza, OMB.



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1 Jennifer Bryant,
2 Jennifer Bryant, OMB.

3
4 Council President Praisner,
5 So, Neil or Delphine if you want to make any comments about that request.

6
7 Neil Greenberger,
8 We've made a commitment, particularly during my hiring process, to take our
9 programming on Channel 6 to a new level. Not only more programming, but a different
10 type of programming. I think a lot of our programming in the past, and I've discussed
11 with Councilmembers and various people, we've showed a lot of what we have. We
12 haven't shown enough of what we do and how we do it. It's not enough just to put on
13 programming. We need programming that people watch. We need programming that
14 makes an impact. We also need programming that tells taxpayers in a different way, our
15 message of what they're getting for their tax dollar. And I think everybody feels that
16 although CCM has done a good job, it's really time to make the commitment to do things
17 new. And we need the support to do those things. We have a great staff of people. We
18 have excellent producers. In my first two months here, I have talked with every
19 Councilmember and I've talked to every producer about what we can do, where we
20 want to go. We have some ideas and we are ready to go. We just need the support,
21 continued support, to do that and I think that you will see great changes in what CCM
22 does and what it's all about. It's existed for a long time, but we're ready to do this.

23
24 Jane Lawton,
25 And I would just like to say that we do support this because in the last several years
26 CCM has been kept pretty much at its level, a level funding type thing. And I do think if
27 they, you know, if they have the will and the creativity and the expertise that we should
28 be doing more. And I agree and I applaud them for that.

29
30 Council President Praisner,
31 Thank you.

32
33 Neil Greenberger,
34 I just wanted to add, among the commitments we've made, it's to reach new audiences
35 that CCM hasn't. And I think that your commitment for closed captioning in Spanish is
36 one of those initiatives, among the things we've talked about is reaching younger
37 audiences. And we have some plans for that as well. And this is something we really
38 need to do on all our cable channels.

39
40 Council President Praisner,
41 I don't think you're going to get arguments Neil.

42
43 Councilmember Trachtenberg,



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1 No I think the consensus of the body is that these investments are long overdue. And
2 the consensus of the Committee certainly is that.

3
4 Council President Praisner,
5 Councilmember Andrews.

6
7 Councilmember Andrews,
8 I was going to ask a question but it's already answered by Neil.

9
10 Council President Praisner,
11 Okay.

12
13 Council President Praisner,
14 The other issue I wanted to ask a question about, well, two other issues, three points.
15 One, we've identified additional funds in the, as the packet indicates, that are associated
16 with the cable programming for the Maryland National Capital Park and Planning
17 Commission. And there used to be I think only one program associated with the Park
18 that came through the Council that we're now talking about trying to expand Maryland
19 National Capital Park and Planning Commission's capacity and also a more true up cost
20 associated with that being associated with Park and Planning. I have been trading
21 telephone calls with Mr. Hanson because I wanted to make sure just what they've
22 identified here as Park and Planning, whether it's personnel or just programming costs.
23 So I need to be clear with that and there may be a slight modification there. Park and
24 Planning should be shown in the future as a stand-alone and that's what we've identified
25 just as school systems, the College, et cetera have their own agency line. We're trying
26 to encourage and support the Commission's desire for more outreach and for the use of
27 technology. Started with the park program, but also to try to get them to look at their
28 resources associated with cable programming. The other question that I had relates to
29 the fact that more and more of our, well there's obviously an explosion of digital, both
30 digital television and digital technology to support that, those televisions and I'm not
31 sure, I don't think this County from a PEG perspective is, is prepared to tell us, the PEG
32 network, what the implications of going digital may be, not just from equipment
33 perspective, but also what the implications may be for all of you from a programming
34 perspective, also maybe from a number of channels perspective. I don't think we fully
35 understand that. And given where we are with the digital conversion with what's going to
36 happen very shortly with those issues, I would like you to be able to have some capacity
37 to come together and respond to us on that issue sooner rather than later. Because it
38 will have implications, I think, for not only equipment you purchase, but training for
39 community members, but also may have an implication for channels from that
40 perspective. And I had asked and I don't know Jane, if you got that message, but I'd
41 asked, what kind of small amount of money would be associated with getting someone
42 to help the peg network face and look at those issues? I think there's a lot of expertise
43 on the technology pieces, but perhaps not on the other issue perspective.



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1 Jane Lawton,

2 Well, I mean, obviously it depends, when you're working with consultants, it depends on
3 what you're, the beginning and the end but I would say, you know, we should start with
4 something like \$25,000 to, you know, and I think that would get us some good meetings
5 with the consultant and a report out back to the Council. And if, you know if we needed
6 more we'd let you know but I think that's probably a good start.

7
8 Council President Praisner,

9 If you need more, you can always, we can come back and look at the issue. But unless
10 there's an objection, I would recommend that we put that in the plan as an additional
11 request and requirement of the network. I think we really need to know what the
12 implications of a digital world are on public network, PEG channels and the whole PEG
13 structure. Okay, if there are no other questions, with that understanding of the dollar
14 amounts and the flexibility--.

15
16 Amanda Mihill,

17 I just wanted to highlight the, I understand--.

18
19 Council President Praisner,

20 Amanda, introduce yourself.

21
22 Amanda Mihill,

23 Oh, I'm Amanda Mihill, Council staff, sorry. I just wanted to let the Council know that I
24 understood from yesterday's PHED discussions, which will be coming back to you on a
25 different day, that there are other options for cable funding. I think PHED identified
26 \$43,500.

27
28 Council President Praisner,

29 Right.

30
31 Amanda Mihill,

32 And those will come before you but I just wanted to put you on notice of that.

33
34 Council President Praisner,

35 Well, and that's why I was trying to put the whole Council on notice that one, we're
36 going to take the fund down, well we're going to take the fund down to its, its level, but
37 we have to find places that are relevant. It's not a raid on the fund, it's a maximization of
38 the use of the fund for technology. (multiple voices) Exactly.

39
40 Councilmember Trachtenberg,

41 Well, actually I'm going to throw, put one other thing out on the table which is that there
42 was discussion in the Committee about the fact that because of the proposed federal
43 rule makings and some FCC decisions coming down the pike that it might very well be



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1 the case that additional funds for a legal representation might be required and I feel
2 obligated to say that at this time.

3
4 Council President Praisner,
5 Well, it's not only legal representation for those issues, but we also may have some
6 more franchise applications.

7
8 Councilmember Trachtenberg,
9 Right. Exactly.

10
11 Council President Praisner,
12 Which are going to cost us money to begin with with hopefully some capacity for some
13 reimbursement, but, and we do have the issue of whether the clock is ticking the way, in
14 the future. It isn't now, but it might be. Councilmember Floreen.

15
16 Councilmember Floreen,
17 Speaking of litigation. Jane, do you have information about how many bundled phone
18 lines there are in all the cable the individual cable subscriber situations?

19
20 Jane Lawton,
21 No, we don't. We don't.

22
23 Councilmember Floreen,
24 Do you collect that information?

25
26 Jane Lawton,
27 We don't. The phone lines, you were talking about how many phone, how many bundled
28 customers, someone like Comcast might have where they have phone people who are
29 using the internet for phone service.

30
31 Councilmember Floreen,
32 Yeah.

33
34 Jane Lawton,
35 We don't. Because they just give us their cable stuff and not their telephone stuff. You
36 might be able to get it through the PSC.

37
38 Councilmember Floreen,
39 Interesting issue.

40
41 Jane Lawton,
42 I mean, we could certainly contact the PSC and see if that information is available.

43
44 Councilmember Floreen,



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1 If you could find out if that information exists.

2
3 Jane Lawton,

4 It may or may not but I mean it may be something they claim is confidential as you well
5 know. But I'll be happy to contact the PSC and see.

6
7 Councilmember Floreen,

8 That would be very interesting. Thank you.

9
10 Council President Praisner,

11 The other thing is, it may be reflected at a state level, but not be disaggregated by
12 County.

13
14 Jane Lawton,

15 Oh, that's true.

16
17 Council President Praisner,'

18 When it comes to telephone service because telephone is not delivered County by
19 County, it's by wherever their hubs and networks are. At least as far as Verizon is
20 concerned and that is the major provider. That's one of the issues we had the battle with
21 in the franchise.

22
23 Councilmember Floreen,

24 Let's see what we know and what we don't know and what we'd like to know. Let's see
25 what we can find out.

26
27 Council President Praisner,

28 (multiple voices) I think from a consumer service, public health and all kind of reason
29 rationale, we should be able to gather whatever information we need. Councilmember
30 Floreen, I couldn't agree with you more. No other changes, then that stands approved.
31 We have the last item on the agenda this afternoon which is the CIP Amendment Cost
32 Sharing Washington Adventist and I'm waiting for Justina. And we can deal with that
33 item. We had a lot of, well we had a lot of Councilmembers at the PHED Committee
34 when we had this discussion, but the Committee is bringing you a unanimous
35 recommendation to approve the \$700,000 for this coming fiscal year underneath the
36 CIP, 3-year item under cost sharing related to Washington Adventist. Unless there are
37 any questions I would, or actually, I think almost all of the Councilmembers were here.
38 The Committee is recommending approval. The only modifications that we've made are
39 related to the language within the PDF. That requires further monitoring and review and
40 reporting as this proposal initially and originally presented last year and the language in
41 the PDF is different from what we have now. As the Committee discussed.

42 Councilmember Leventhal.

43
44 Councilmember Leventhal,



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1 I only wanted to thank the Committee Chair and Council President for her strong
2 support and outstanding leadership on this.
3
4 Council President Praisner,
5 Seeing no comments that CIP PDF stands approved and we are adjourned. We will be
6 back on Monday and I would invite any Councilmembers who can to join me at the
7 public safety memorial.
8
9